Digitized by the Internet Archive
in 2013

http://archive.org/details/journalofhouseof19nort_12

N.C. DOCUMENTS
CLEARINGHOUSE

JUN 3 1998

STATE LIBRARY OF NORTH CAROLINA
RALEIGH

JOURNAL

OF THE

House of Representatives

OF THE

1997

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

FIRST
SESSION 1997

VOLUME I

This publication is printed on permanent, acid-free paper
in compliance with the General Statutes of the State of North Carolina.
550 copies of this publication were printed at a cost of $23.79 per copy.

OFFICERS AND MEMBERS

OF THE

HOUSE OF REPRESENTATIVES

FIRST SESSION 1997

Harold J. Brubaker, *Speaker* ..... Asheboro, Randolph County
Stephen W. Wood, *Speaker Pro Tempore* ..... High Point, Guilford County
Denise G. Weeks, *Principal Clerk* ..... Willow Springs, Wake County
Susan Johnson, *Reading Clerk* ..... Raleigh, Wake County
Clyde Cook, Jr., *Sergeant-at-Arms* ..... Garner, Wake County

---

REPRESENTATIVES

1st District: (1) Camden, Currituck, Pasquotank, Perquimans (Part).
William C. Owens, Jr. (D) ..... Pasquotank ..... Elizabeth City

2nd District: (1) Beaufort, Craven (Part), Hyde, Pitt (Part).
Edwin M. Hardy (R) ..... Beaufort ..... Washington

3rd District: (1) Craven (Part), Pamlico (Part).
John M. Nichols (R) ..... Craven ..... New Bern

4th District: (2) Carteret, Onslow (Part).
Jean R. Preston (R) ..... Carteret ..... Emerald Isle
Ronald L. Smith (D) ..... Carteret ..... Atlantic Beach

5th District: (1) Bertie (Part), Gates, Hertford (Part), Northampton.
Howard J. Hunter, Jr. (D) ..... Northhampton ..... Murfreesboro

6th District: (1) Bertie (Part), Hertford (Part), Martin (Part), Pitt (Part), Washington (Part).
R. Eugene Rogers (D) ..... Martin ..... Williamston

7th District: (1) Edgecombe (Part), Halifax (Part), Martin (Part), Nash (Part).
Thomas C. Hardaway (D) ..... Halifax ..... Enfield

8th District: (1) Edgecombe (Part), Greene (Part), Martin (Part), Pitt (Part).
Linwood E. Mercer (D) ..... Pitt ..... Farmville

9th District: (1) Greene (Part), Pitt (Part).
Marvin W. Aldridge (R) ..... Pitt ..... Greenville

10th District: (1) Duplin (Part), Jones (Part), Onslow (Part).
Cynthia B. Watson (R) .....Duplin .....Rose Hill

11th District: (1) Lenoir (Part), Wayne (Part).
Philip A. Baddour, Jr. (D) .....Wayne .....Goldsboro

12th District: (1) Onslow (Part), Pender (Part), Sampson (Part).
Nurham O. Warwick (D) .....Sampson .....Clinton

13th District: (1) New Hanover (Part).
Daniel F. McComas (R).....New Hanover ..... Wilmington

14th District: (2) Brunswick (Part), Columbus (Part), New Hanover (Part), Robeson (Part).
Dewey L. Hill (D).....Columbus ..... Whiteville
E. David Redwine (D) .....Brunswick ..... Ocean Isle Beach

15th District: (1) Wake (Part).
J. Samuel Ellis (R).....Wake ..... Raleigh

16th District: (1) Cumberland (Part), Hoke (Part), Moore (Part), Robeson (Part), Scotland (Part).
Douglas Y. Yongue (D).....Scotland.....Laurinburg

17th District: (2) Cumberland (Part).
Theodore J. Kinney (D).....Cumberland .....Fayetteville
Mary E. McAllister (D) .....Cumberland .....Fayetteville

18th District: (2) Cumberland (Part).
John W. Hurley (D) .....Cumberland .....Fayetteville
Mia Morris (R) .....Cumberland .....Fayetteville

19th District: (2) Harnett, Lee, Sampson (Part).
Donald S. Davis (R) .....Harnett.....Erwin
Bobby Ray Hall (R).....Lee..... Sanford

20th District: (1) Franklin (Part), Johnston (Part), Nash (Part).
Billy J. Creech (R).....Johnston ..... Clayton

21st District: (1) Wake (Part).
Daniel T. Blue, Jr. (D).....Wake ..... Raleigh

22nd District: (2) Franklin (Part), Granville (Part), Halifax (Part), Person, Vance (Part), Warren (Part).
James W. Crawford, Jr. (D).....Granville..... Oxford
Michael S. Wilkins (D).....Person.....Roxboro

23rd District: (3) Durham (Part).
Paul Luebke (D) ..... Durham ..... Durham
Henry M. Michaux, Jr. (D) ..... Durham ..... Durham
George W. Miller, Jr. (D) ..... Durham ..... Durham

24th District: (2) Chatham (Part), Orange (Part).
Joe Hackney (D) ..... Orange ..... Chapel Hill
Verla C. Insko (D) ..... Orange ..... Chapel Hill

25th District: (3) Alamance, Caswell, Orange (Part), Rockingham (Part).
Cary D. Allred (R) ..... Alamance ..... Burlington
E. Nelson Cole (D) ..... Rockingham ..... Reidsville
Dennis A. Reynolds (R) ..... Alamance ..... Graham

26th District: (1) Guilford (Part).
Alma S. Adams (D) ..... Guilford ..... Greensboro

27th District: (1) Davidson (Part), Guilford (Part).
Stephen W. Wood (R) ..... Guilford ..... High Point

28th District: (1) Guilford (Part).
Flossie Boyd-McIntyre (D) ..... Guilford ..... Jamestown

29th District: (1) Guilford (Part).
Joanne W. Bowie (R) ..... Guilford ..... Greensboro

30th District: (1) Chatham (Part), Guilford (Part), Randolph (Part).
Arlie F. Culp (R) ..... Randolph ..... Ramseur

31st District: (1) Moore (Part).
Richard T. Morgan (R) ..... Moore ..... Pinehurst

32nd District: (1) Montgomery (Part), Richmond, Scotland (Part).
G. Wayne Goodwin (D) ..... Richmond ..... Rockingham

33rd District: (1) Anson, Montgomery (Part), Stanly (Part).
Foyle R. Hightower, Jr. (D) ..... Anson ..... Wadesboro

34th District: (1) Union (Part).
Fern H. Shubert (R) ..... Union ..... Marshville

35th District: (1) Rowan (Part).
Charlotte A. Gardner (R) ..... Rowan ..... Salisbury

36th District: (1) Mecklenburg (Part).
James B. Black (D) ..... Mecklenburg ..... Matthews

37th District: (1) Davidson (Part).
Paul R. McCrary (D) .....Davidson ..... Lexington

38th District: (1) Guilford (Part), Randolph (Part).
Harold J. Brubaker (R) .....Randolph ..... Asheboro

39th District: (1) Forsyth (Part).
Lyons Gray (R).....Forsyth ..... Winston-Salem

40th District: (3) Alleghany, Ashe, Stokes, Surry, Watauga.
Rex L. Baker (R) .....Stokes.....King
William S. Hiatt (R).....Surry.....Mt. Airy
W. Eugene Wilson (R) .....Watauga ..... Boone

41st District: (2) Alexander (Part), Wilkes, Yadkin.
John W. Brown (R).....Wilkes ..... Elkin
George M. Holmes (R) .....Yadkin.....Hamptonville

42nd District: (1) Iredell (Part).
W. Franklin Mitchell (R).....Iredell .....Olin

43rd District: (1) Catawba (Part), Iredell (Part).
C. Robert Brawley (R).....Iredell ..... Mooresville

44th District: (1) Gaston (Part), Lincoln (Part).
John R. Gamble, Jr. (D).....Lincoln ..... Lincolnton

45th District: (2) Catawba (Part), Gaston (Part), Lincoln (Part).
Cherie K. Berry (R) .....Catawba..... Newton
Joe L. Kiser (R) .....Lincoln ..... Vale

46th District: (2) Avery, Burke (Part), Caldwell (Part), Catawba (Part), Mitchell.
Charles F. Buchanan (R) .....Mitchell .....Green Mountain
Gregory J. Thompson (R).....Mitchell .....Spruce Pine

47th District: (1) Burke (Part).
Walter G. Church, Sr. (D).....Burke.....Valdese

48th District: (3) Cleveland, Gaston (Part), Polk (Part), Rutherford.
Debbie A. Clary (R).....Cleveland .....Cherryville
Andrew T. Dedmon (D).....Cleveland ..... Earl
John H. Weatherly (R).....Cleveland .....Kings Mountain

49th District: (1) Burke (Part), McDowell, Yancey.
Robert C. Hunter (D).....McDowell..... Marion

50th District: (1) Henderson (Part), Polk (Part).
Larry T. Justus (R).....Henderson ..... Hendersonville

51st District: (3) Buncombe (Part).
Lanier M. Cansler (R).....Buncombe ..... Asheville
Martin L. Nesbitt, Jr. (D).....Buncombe ..... Asheville
Wilma M. Sherrill (R) .....Buncombe ..... Asheville

52nd District: (2) Graham, Haywood, Jackson (Part), Madison, Swain.
Charles M. Beall (D) .....Haywood ..... Clyde
Liston B. Ramsey (D).....Madison.....Marshall

53rd District: (1) Cherokee, Clay, Jackson (Part), Macon.
James C. Carpenter (R).....Macon.....Otto

54th District: (1) Mecklenburg (Part).
Drew P. Saunders (D).....Mecklenburg ..... Huntersville

55th District: (1) Mecklenburg (Part).
W. Edwin McMahan (R) .....Mecklenburg .....Charlotte

56th District: (1) Mecklenburg (Part).
Martha B. Alexander (D).....Mecklenburg .....Charlotte

57th District: (1) Mecklenburg (Part).
Constance K. Wilson (R).....Mecklenburg .....Charlotte

58th District: (1) Mecklenburg (Part).
Ruth M. Easterling (D) .....Mecklenburg .....Charlotte

59th District: (1) Mecklenburg (Part).
W. Pete Cunningham (D) .....Mecklenburg .....Charlotte

60th District: (1) Mecklenburg (Part).
Beverly Earle (D).....Mecklenburg .....Charlotte

61st District: (1) Wake (Part).
Charles B. Neely, Jr. (R).....Wake ..... Raleigh

62nd District: (1) Wake (Part).
David M. Miner (R).....Wake .....Cary

63rd District: (1) Durham (Part), Wake (Part).
Jane H. Mosley (D).....Wake .....Cary

64th District: (1) Wake (Part).
Robert J. Hensley Jr. (D) .....Wake ..... Raleigh

65th District: (1) Wake (Part).
Rick Eddins (R).....Wake ..... Raleigh

66th District: (1) Forsyth (Part).
Larry W. Womble (D) .....Forsyth ..... Winston-Salem

67th District: (1) Forsyth (Part).
Warren C. Oldham (D) .....Forsyth ..... Winston-Salem

68th District: (1) Buncombe (Part), Henderson (Part), Transylvania.
William M. Ives (R).....Transylvania.....Brevard

69th District: (1) Mecklenburg (Part).
Jim Gulley (R) .....Mecklenburg ..... Matthews

70th District: (1) Edgecombe (Part), Nash (Part), Wilson (Part).
Milton F. Fitch, Jr. (D) .....Wilson ..... Wilson

71st District: (1) Edgecombe (Part), Nash (Part), Pitt (Part), Wilson (Part).
Joe P. Tolson (D).....Edgecombe.....Pinetops

72nd District: (1) Nash (Part), Wilson (Part).
Gene G. Arnold (R) .....Nash .....Rocky Mount

73rd District: (1) Forsyth (Part), Rockingham (Part).
P. Wayne Sexton, Sr. (R).....Rockingham .....Stoneville

74th District: (1) Davidson (Part), Davie.
Julia Craven Howard (R).....Davie .....Mocksville

75th District: (1) Cumberland (Part).
Alex Warner (D).....Cumberland.....Hope Mills

76th District: (1) Gaston (Part), Mecklenburg (Part).
Walter W. Dickson (R).....Gaston .....Gastonia

77th District: (1) Greene (Part), Lenoir (Part), Wayne (Part).
Carolyn B. Russell (R).....Wayne .....Goldsboro

78th District: (1) Granville (Part), Vance (Part), Warren (Part).
Stanley H. Fox (D) .....Granville..... Oxford

79th District: (1) Craven (Part), Jones (Part), Lenoir (Part), Pamlico (Part).
William L. Wainwright (D) .....Craven ..... Havelock

80th District: (1) Onslow (Part).
W. Robert Grady (R) .....Onslow ..... Jacksonville

81st District: (1) Cabarrus (Part), Union (Part).
Timothy N. Tallent (R).....Cabarrus .....Kannapolis

82nd District: (1) Cabarrus (Part), Stanly (Part), Union (Part).
Bobby H. Barbee, Sr. (R) .....Stanly .....Locust

83rd District: (1) Rowan (Part).
W. Eugene McCombs (R) .....Rowan ..... Faith

84th District: (1) Forsyth (Part), Guilford (Part).
Michael P. Decker (R).....Forsyth ..... Walkertown

85th District: (1) Hoke (Part), Robeson (Part).
Ronnie N. Sutton (D).....Robeson.....Pembroke

86th District: (1) Chowan, Dare, Perquimans (Part), Tyrrell, Washington (Part).
William T. Culpepper, III (D).....Chowan ..... Edenton

87th District: (1) Hoke (Part), Robeson (Part), Scotland (Part).
Donald A. Bonner (D) .....Robeson..... Rowland

88th District: (1) Forsyth (Part).
Theresa H. Esposito (R).....Forsyth ..... Winston-Salem

89th District: (2) Guilford (Part).
Mary L. Jarrell (D).....Guilford..... High Point
Margaret M. Jeffus (D).....Guilford..... Greensboro

90th District: (1) Cabarrus (Part).
Richard L. Moore (D).....Cabarrus .....Kannapolis

91st District: (1) Alexander (Part), Caldwell (Part), Catawba (Part).
Edgar V. Starnes (R).....Caldwell ..... Granite Falls

92nd District: (1) Durham (Part), Wake (Part).
J. Russell Capps (R).....Wake ..... Raleigh

93rd District: (1) Gaston (Part), Mecklenburg (Part).
John M. Rayfield (R).....Gaston ..... Belmont

94th District: (1) Davidson (Part), Randolph (Part).
Jerry C. Dockham (R).....Davidson .....Denton

95th District: (1) Johnston (Part).
N. Leo Daughtry (R).....Johnston .....Smithfield

96th District: (1) Bladen, Cumberland (Part), New Hanover (Part), Pender (Part), Sampson (Part).
Edd Nye (D) .....Bladen .....Elizabethtown

97th District: (1) Duplin (Part), Sampson (Part), Wayne (Part).
Jerry Braswell (D) .....Wayne .....Goldsboro

98th District: (1) Brunswick (Part), Columbus (Part), New Hanover (Part), Pender (Part).
Thomas E. Wright (D).....New Hanover ..... Wilmington

HOUSE JOURNAL

SESSION 1997

FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, January 29, 1997

This day, in accordance with the Constitution of the State of North Carolina and G.S. 120-11.1, which fixes the date for the meeting of the General Assembly of North Carolina, the members of the House of Representatives assemble in the House Chamber of the State Legislative Building in the City of Raleigh at 12:00 Noon and are called to order by the Honorable Denise G. Weeks, House Principal Clerk.

The following prayer is offered by the Honorable William Wainwright.

"Our God and our Father, we pause to give Thee thanks for the privilege of service and for the opportunity to be a part of the opening session of the North Carolina House of Representatives. As we gather for this auspicious occasion, we ask that the Creator of the Universe will allow His spirit to settle among us. We implore the Giver of all Good Things to strengthen us individually, and collectively, to provide us with clarity of purpose so that we may enact legislation which is in the best interests of our constituents, and to ensure that those who offer advice provide all of the facts.

"We ask that each participant in the legislative process be endowed with an extra measure of wisdom, patience, and humility. Grant that we may be given the insight to discern the big picture and the understanding to work on the parts of the picture to form a perfect replica.

"Help us to approach each day as if the future of our State depended solely on each of us. Grant that we may utilize our strengths responsibly and strengthen our weaknesses systematically. Ours is an awesome responsibility. Let us remember that our decisions impact more than six million lives on a daily basis.

"Strengthen us that we may not violate the trust that those who voted for us placed in us.

"We thank Thee for this day, its blessings and beauty.

"For we ask it in the name of the Father, Son, and Holy Ghost. Amen."

The Honorable Steve Wood leads the Body in the Pledge of Allegiance.

CERTIFICATION OF ELECTION

STATE OF NORTH CAROLINA
DEPARTMENT OF THE SECRETARY OF STATE

THE 1997 NORTH CAROLINA HOUSE OF REPRESENTATIVES

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify that the State Board of Elections met Tuesday, the 26th day of November, A.D., 1996, in accordance with Chapter 163 of the General Statutes of North Carolina, at which time the Board did open, canvass and judicially determine the returns of votes cast in the election held on Tuesday, November 5th, 1996, and certified to me the persons duly elected as members of the House of Representatives from the various Representative Districts comprising of more than one county, and all others have been certified to me in the abstracts by the State Board of Elections as having the highest number of votes cast in the election for the House of Representatives from districts composed of one county only, for the General Assembly of 1997, to wit:

DISTRICT	NAME
First	W. C. (Bill) Owens, Jr.
Second	Edwin M. (Sandy) Hardy
Third	John M. Nichols
Fourth	Jean R. Preston Ronald L. (Ronnie) Smith
Fifth	Howard Hunter, Jr.
Sixth	Gene Rogers

Seventh	Thomas Hardaway
Eighth	Linwood E. Mercer
Ninth	M. W. (Henry) Aldridge
Tenth	Cynthia B. (Cindy) Watson
Eleventh	Phil Baddour, Jr.
Twelfth	Nurham Warwick
Thirteenth	Danny McComas
Fourteenth	E. David Redwine Dewey L. Hill
Fifteenth	Sam Ellis
Sixteenth	Douglas Y. Yongue
Seventeenth	Ted Kinney Mary E. McAllister
Eighteenth	John W. (Bill) Hurley Mia Morris
Nineteenth	Don Davis Bobby Ray Hall
Twentieth	Billy J. Creech
Twenty-first	Dan Blue
Twenty-second	Jim Crawford Michael S. (Mike) Wilkins
Twenty-third	Paul Luebke H. M. (Mickey) Michaux, Jr. George W. Miller, Jr.
Twenty-fourth	Verla C. Insko Joe Hackney
Twenty-fifth	Cary D. Allred Nelson Cole Dennis A. Reynolds
Twenty-sixth	Alma Adams
Twenty-seventh	Steve Wood
Twenty-eighth	Flossie Boyd-McIntyre

Twenty-ninth	Joanne W. Bowie
Thirtieth	Arlie F. Culp
Thirty-first	Richard T. Morgan
Thirty-second	Wayne Goodwin
Thirty-third	Foyle Hightower, Jr.
Thirty-fourth	Fern H. Shubert
Thirty-fifth	Charlotte A. Gardner
Thirty-sixth	James B. (Jim) Black
Thirty-seventh	Paul (Jaybird) McCrary
Thirty-eighth	Harold J. Brubaker
Thirty-ninth	Lyons Gray
Fortieth	Gene Wilson Rex L. Baker William S. (Bill) Hiatt
Forty-first	John Walter Brown George M. Holmes
Forty-second	Frank Mitchell
Forty-third	C. Robert Brawley
Forty-fourth	John R. Gamble, Jr.
Forty-fifth	Cherie Killian Berry Joe L. Kiser
Forty-sixth	Charles (Monroe) Buchanan Gregg Thompson
Forty-seventh	Walter G. Church, Sr.
Forty-eighth	John Weatherly Andrew Thomas Dedmon Debbie A. Clary
Forty-ninth	Robert C. (Bob) Hunter
Fiftieth	Larry T. Justus
Fifty-first	Lanier M. Cansler Martin L. Nesbitt Wilma Sherrill

Fifty-second	Charles M. Beall Liston B. Ramsey
Fifty-third	James C. Carpenter
Fifty-fourth	Drew Saunders
Fifty-fifth	W. Edwin (Ed) McMahan
Fifty-sixth	Martha Alexander
Fifty-seventh	Connie Wilson
Fifty-eighth	Ruth M. Easterling
Fifty-ninth	W. Pete Cunningham
Sixtieth	Beverly Earle
Sixty-first	Charles B. (Chuck) Neely, Jr.
Sixty-second	David Miner
Sixty-third	Jane H. Mosley
Sixty-fourth	Bob Hensley
Sixty-fifth	Rick Eddins
Sixty-sixth	Larry Womble
Sixty-seventh	Warren (Pete) Oldham
Sixty-eighth	W. M. (Bill) Ives
Sixty-ninth	Jim Gulley
Seventieth	Milton F. (Toby) Fitch, Jr.
Seventy-first	Norris Tolson
Seventy-second	Gene Arnold
Seventy-third	Wayne Sexton
Seventy-fourth	Julia Craven Howard
Seventy-fifth	Alex Warner
Seventy-sixth	W. W. (Dub) Dickson
Seventy-seventh	Carolyn B. Russell
Seventy-eighth	Stan Fox
Seventy-ninth	William L. Wainwright

Eightieth	William Robert Grady
Eighty-first	Timothy (Tim) Tallent
Eighty-second	Bobby Harold Barbee, Sr.
Eighty-third	Eugene McCombs
Eighty-fourth	Michael (Mike) Decker
Eighty-fifth	Ronnie Sutton
Eighty-sixth	Bill Culpepper
Eighty-seventh	Donald A. Bonner
Eighty-eighth	Theresa Esposito
Eighty-ninth	Mary Jarrell Maggie Jeffus
Ninetieth	Richard Moore
Ninety-first	Edgar V. Starnes
Ninety-second	J. Russell Capps
Ninety-third	John Melvin Rayfield
Ninety-fourth	Jerry C. Dockham
Ninety-fifth	Leo Daughtry
Ninety-sixth	Edd Nye
Ninety-seventh	Jerry Braswell
Ninety-eighth	Thomas E. Wright

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal.

DONE IN OFFICE at Raleigh, this 27th day of January, 1997.

S/ Elaine F. Marshall
Secretary of State
By: Rodney S. Maddox
Chief Deputy Secretary of State

The roll is called and one hundred nineteen Members-elect answer when their names are called. Representative-elect Norris Tolson resigned his seat, effective January 17, 1997, and the Governor issued the following proclamation naming his replacement.

THE APPOINTMENT OF JOE P. TOLSON
1997
BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA
A PROCLAMATION

WHEREAS, the Honorable E. Norris Tolson, elected Representative from the Seventy-First District 1997 General Assembly, has resigned his office; and

WHEREAS, the provisions of General Statutes 163-11 require that the vacancy created by the resignation of the Honorable E. Norris Tolson, be filled by appointment of the person recommended by the Seventy-First House District Executive Committee of the Democratic Party; and

WHEREAS, the Seventy-First House District Executive Committee of the Democratic Party has notified me of its recommendation of Joe P. Tolson of Edgecombe County, North Carolina, to fill said vacancy,

I do by these presents appoint
JOE P. TOLSON
as a member of the
HOUSE OF REPRESENTATIVES
1997 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State at the Capitol in the City of Raleigh, this 27th day of January in the year of our Lord, One Thousand Nine Hundred Ninety-Seven.

S/ James B. Hunt, Jr.
Governor

S/ Elaine F. Marshall
Secretary of State
By: Rodney S. Maddox
Chief Deputy Secretary of State

The one hundred twenty Members-elect and appointed who are present, take and subscribe to the following oath of office, which is administered by Chief Justice Burley B. Mitchell, Jr., Supreme Court of North Carolina.

OATH FOR MEMBERS OF THE 1997 HOUSE OF REPRESENTATIVES

"I do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear (or affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear (or affirm) that I will faithfully discharge the duties of the office of a Member of the 1997 House of Representatives according to the best of my skill and ability, according to law; so help me God. "

ELECTION OF OFFICERS

The Principal Clerk announces that the first order of business is the election of a Speaker and explains the voting procedure to be used in the absence of adopted rules.

The Chair declares that nominations are in order.

SPEAKER

The Chair recognizes Representative Esposito, who places in nomination the name of Representative Harold James Brubaker as the Republican nominee for the Speaker of the House of Representatives.

"Madam Clerk, distinguished guests, colleagues, and friends. It is, indeed, an honor to rise on this auspicious and historic beginning day of the 142nd Session of the North Carolina General Assembly to nominate the distinguished gentleman, the Honorable Harold Brubaker from the County of Randolph, for Speaker of the North Carolina House of Representatives.

"He has the energy and enthusiasm of youth, and the wisdom and patience of a seasoned legislator. Harold Brubaker is sensitive to maintaining the balance between the power of this august body and the needs of the people.

"He is a man of gentle persuasion, who represents his convictions with strength and style; his quiet undergirding of the truth has been a hallmark. He has the qualities to respond effectively to the many challenges of the Office of Speaker.

"Harold Brubaker is a man of vision and foresight, ready to lead our state as we prepare to enter the 21st century. His finely honed leadership skills were the key ingredient in ensuring the success of the historic reforms passed by this Legislature over the past two years.

"It was Harold Brubaker who led the fight to reduce the tax burden on North Carolina's citizens. Under his leadership, the Legislature passed the largest tax relief package in state history.

"This means more money in the pockets of the working women and men of our state. It also means new, high-paying jobs for our citizens. It is the pro-business politics and policies adopted under Harold Brubaker's leadership that are largely responsible for North Carolina's current ranking as the number one business environment in the nation.

"But tax relief was only a part of the story.

"It was Harold Brubaker who stood his ground and demanded state government spending be controlled. His fiscally-conservative philosophy will continue to protect future generations from the burdens of excessive spending by the government.

"It was Harold Brubaker who took a tough stand against crime. Now, criminals stay behind bars - where they belong.

"It was Harold Brubaker who championed real reforms in education. The people of this state demanded better performance from their public schools and he delivered. Now, we have more local control, less bureaucracy and more accountability.

"Under Harold Brubaker's leadership, the General Assembly made giant strides in reforming state government. But there is much more to be

done. In many areas, such as education, the status quo is simply unacceptable.

"Harold Brubaker has already proven that he has the will power to tackle these seemingly intractable problems and find common sense solutions that will truly improve the quality of life in North Carolina.

"It is fitting that Harold Brubaker should assume this position of leadership in a state whose motto is: Esse Quam Videri...To be rather than to seem. He forthrightly and honestly establishes relationships without pretense or guile.

"He is a caring, compassionate man who can see past those with mere wants, to truly help those with real needs. His sympathy for the less fortunate is sterling evidence of his conspicuous credentials.

"You know where you stand with Harold Brubaker, and you know his position. I look forward to his integrity and deliberation of purpose continuing to imprint his mark of leadership on this Legislature.

"I respect this gentleman.

"Harold Brubaker was that senior statesman who reached out to me as a freshman in this Body some 13 years ago. For me, it was incredible good fortune. As my mentor, he taught me about leadership and statesmanship.

"Representative Brubaker, I am indebted to you.

"As President Woodrow Wilson once said, 'A man is not as big as his belief in himself, he is as big as the number of persons who believe in him'.

"Representative Brubaker, you are indeed a great leader - for, along with many others from across this great state, I have the deepest and most sincere belief in your leadership.

"Fellow legislators, I am truly honored to commend to you, in nomination as Speaker of the North Carolina House of Representatives, my friend, my former seatmate, the Honorable Harold James Brubaker."

The nomination is seconded by Representative Brown.

"Madam Chair, Ladies and gentlemen, my fellow colleagues, families, and distinguished guests.

"It is my sincere privilege and honor to second the nomination of Harold James Brubaker to serve as Speaker of the North Carolina House of Representatives during the 1997 Legislative Session.

"Though I have known and served with Representative Brubaker longer than most of you, over the last two years I believe that we all have gained a greater appreciation for the leadership skills that Speaker Brubaker has cultivated over the years.

"Because of his ability to lead, maintain focus, build consensus, and do the people's work - each member reaped the rewards of being part of the most active and historic legislative session in our state's history.

"Let me remind you of just a few of our most important accomplishments:

- We passed the largest tax cut in the history of North Carolina.
- We passed the landmark Taxpayer Protection Act that limited the growth of state government spending.
- We passed the boldest welfare reform in the nation.
- At the same time, we passed the largest environmental package in state history.
- We reduced the size and cost of state government.
- We exercised fiscal restraint and we left $125 million in reserve for emergencies.
- And while enacting all of these conservative measures, we **did not** touch the Highway Fund.

"To sum up our actions, it was fiscal responsibility at its best!

"But, these historic changes didn't just happen...

"As Speaker, Harold Brubaker kept this Body focused on fiscal responsibility and promises made to North Carolina's citizens and taxpayers.

"Promises made, were in fact, promises kept.

"As Speaker, Harold Brubaker listened, he planned, and yes, he successfully led by promoting an atmosphere that accepted diversity, but at the same time created unity.

"Most importantly though, Harold Brubaker maintained integrity and the highest ethical standards not only while serving as Speaker, but throughout his public and private life.

"As the book of Proverbs reminds us: 'The integrity of the upright shall guide them'.

"Today is no different than those biblical times. Men such as Harold Brubaker can be trusted to guide us in the direction that we need to go. I respectfully ask that each of you join me in re-electing Harold J. Brubaker as Speaker of the North Carolina House. Thank you."

The nomination is seconded by Representative Nichols.

"Madam Clerk, Distinguished Guests, Ladies and Gentlemen, and Colleagues, I also rise to second the nomination of Harold Brubaker for Speaker of the North Carolina House.

"Two years ago today, every major newspaper in the state and most TV stations in the state had accepted the fact that Republicans would control the State House. Their question was whether or not our party could govern, in light of the fact that we hadn't elected a Republican Speaker in more than 100 years. And, they said, look at our team - we had a Pro Tem nominee who gave fiery speeches as a minority member and represented the party, as well as a Majority Leader from across the hall, who called us all 'Senator' during his first term in this chamber, and we had a quiet man from Randolph County, who had maintained a calm presence on the back row, seldom challenging the authority of the majority party as our Speaker nominee.

"Did we govern successfully? Yes, we did. We passed the largest tax decrease in North Carolina's history. We began a much overdue downsizing of state government. We spent less than in previous sessions of the Legislature. We passed the largest environmental package in the history of North Carolina. We began to put accountability in public schools, and we passed massive school and highway bonds.

"These gains were not made by one party alone, but with the support of both sides of the aisle. Harold Brubaker forged that partnership by his willingness to hear all sides in debates and involve all parties in order to address our 'Contract with North Carolina'.

"I believe that Speaker Brubaker has done an excellent job in his first term, and deserves another term in order to continue the tasks that loom before us. Our first term, obviously, was not without its ups and downs, but 'Bru' rose to the occasion. And, I hope that you will join me in supporting Speaker Brubaker for re-election as Speaker of the North Carolina House. Thank you very much."

The Chair recognizes Representative Easterling, who places in nomination the name of James B. Black as the Democratic nominee for the Speaker of the House of Representatives.

"Ladies and Gentlemen, Young People and Children.

"I address you today as former Representative Anne Barnes did several years ago when she nominated Representative Dan Blue to a second term as Speaker of the House.

"All of us - male and female - young and old - Democrats - Republicans - Independents (which probably describes us all at times) - fall into these categories.

"We all are citizens of this wonderful State of North Carolina. We all love it and its people - its grandeur of mountains and plains - rivers and ocean.

"We all want the best for our own district - our own county - the whole state.

"The trouble is we can't always agree on what the best is or how to achieve it. But that is democracy.

"I stand at this place - at this podium - to nominate Representative Jim Black for Speaker of the North Carolina House of Representatives.

"Now more than ever - this House needs a Speaker who will be truly bi-partisan - a Speaker who will listen to all - be fair to all - rule with a steady gavel - and maintain civility and decorum within the ranks - even when we disagree with each other.

"Representative Black is such a man! He has had experience doing just that.

"I nominate Representative Black because his experience as Majority Whip and as Minority Leader of the Democrats eminently qualifies him to lead a bi-partisan group of individual personalities and strong egos!

"Nobody is more independent than a Democrat! Nobody is more set in his or her ways than a Democrat - nobody loves the State more than a Democrat - in all of our diverse ways.

"Representative Black has courage - integrity - a deep sense of fairness - he keeps his word - you can depend on him - he will not lie to you!

"Now, more than ever, this House needs a person who will appoint both Republicans and Democrats to places of leadership - to co-chair committees - subcommittees - study committees.

"Now, more than ever, this House needs someone who is a peacemaker (with experience) among Democrats.

"Someone who is not vindictive - who does not hold a grudge. Representative Black is all of this and more.

"Representative Black is a professional man. He is used to leading - to making decisions. Representative Black is a family man - he knows the value of stability and nurturing for children and grandchildren. Representative Black is an experienced legislator. He knows how to get things done.

"Now, more than ever, this House needs a leader for these times. It gives me great personal pleasure and I am proud to nominate my fellow Mecklenburger - Representative Jim Black for Speaker of the North Carolina House for the 1997-98 term."

The nomination is seconded by Representative Wright.

"Madam Clerk, Members of the House. I stand before you today to second the nomination of Representative James Black for Speaker of the House of Representatives.

"In whom do I put my trust? In God.

"God has bestowed upon us the gift of serving in this Body and by having this gift we should have the opportunity to serve without exclusion from the process. That is the responsibility of the leader of this House to

insure that every member elected to serve here has that opportunity. The leader of this House needs to be fair and inclusive of all its members. I proudly second the nomination of Representative James B. Black. Thank you."

There being no further nominations, the Principal Clerk declares the nominations closed and requests that the roll of the House be called.

The following members vote for Representative Brubaker: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, Brown, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Ellis, Esposito, Gardner, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, McComas, McCombs, McMahan, Miner, Mitchell, Morgan, Morris, Neely, Nichols, Preston, Rayfield, Reynolds, Russell, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 64.

The following members vote for Representative Black: Representatives Adams, Alexander, Baddour, Beall, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Cole, Culpepper, Cunningham, Dedmon, Earle, Easterling, Fitch, Fox, Gamble, Goodwin, Hackney, Hardaway, Hensley, Hightower, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCrary, Mercer, Michaux, Miller, Moore, Mosley, Nesbitt, Nye, Oldham, Owens, Ramsey, Redwine, Rogers, Saunders, Smith, Sutton, Tolson, Wainwright, Warwick, Warner, Wilkins, Womble, Wright, and Yongue - 56.

Representative Brubaker, having received a majority vote, is declared Speaker of the 1997 House of Representatives.

The Speaker, escorted to the Chair by Representatives Thompson, Hill, Mitchell, Kiser, Culp, Clary, Morris, Davis, Wainwright, and Preston, takes and subscribes to the following oath of office administered by Associate Justice I. Beverly Lake, Jr., of the North Carolina Supreme Court.

OATH FOR SPEAKER OF THE
1997 HOUSE OF REPRESENTATIVES

"I, HAROLD J. BRUBAKER, do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Speaker of the 1997 House of Representatives according to the best of my skill and ability, according to law; so help me God."

The Speaker, Mr. Brubaker, approaches the dais and makes the following remarks.

"Two years ago most of us were in this same setting as this House underwent some changes.

"Over the last two years we have experienced our share of partisan battles, yet more often than not they have ended in bipartisan solutions.

"In the end, each one of us left our fingerprints on a session of historic accomplishments.

"We passed the largest tax relief package in state history.

"We successfully controlled runaway state government spending.

"We took a tough stance on crime in order to take criminals off our streets.

"And we began the process of reforming and improving our public schools.

"These were indeed important achievements. But they are not the end of the story - instead they are only the beginning.

"We can not stand back and admire our achievements. We must continue to build on them if we are to be prepared for the future.

"Our ability to build on these accomplishments is now greater than ever. And, one of the most important achievements of last session was the development of a bipartisan consensus in support of many of the reforms that were proposed. Our common sense ideas to reform state government

have helped create a consensus on both sides of the aisle, in both chambers, and in the Governor's Mansion. We need to capitalize on this consensus and work together if we are to achieve substantial, long-lasting improvements for North Carolina.

"And let me say this - our accomplishments were not the work of only one party. Our accomplishments received support from members on both sides of the aisle. Continuing this bipartisan cooperation is essential, if we hope to solve the many problems facing our state.

"And there are indeed many challenges to face.

"Our state's educational system is faltering. Our students are not performing and our teachers are fleeing the classroom. We remain stuck at the bottom of the nation in SAT scores. Continuing the status quo is simply not acceptable - something must be done.

"There are many initiatives being proposed to rectify this situation, but in debating the merits of each proposal I hope we will follow a few principles. First, continuing to demand accountability in education is important. Secondly, teacher compensation should be based on performance and knowledge, not simply longevity. And finally, it will serve the state well if we never fail to remember that student achievement is our ultimate goal. If we keep these principles in mind, we will succeed.

"We will continue to ensure state government provides essential services to our citizens. Yet in doing so, we need to insist that these services be provided in the most efficient way possible. There are a number of initiatives being proposed to achieve this goal - such as zero-based-budgeting, privatization, and patronage reform. All of these proposals deserve serious consideration.

"Though, education and governmental reform are two of our most serious challenges, they are not the only ones we face. We should prepare ourselves to deal with many complicated issues this session. Campaign reform, congressional redistricting, protecting the environment, and welfare reform are just a few of the many important public policy questions we will be confronted with this session.

"Constructing workable solutions to these challenges is indeed a daunting task. We have many long hours of work ahead of us. But, I know that each of you will accept these challenges and pour all of your heart and soul into this great endeavor we call the legislative process.

"For, as a state legislator, you represent the cornerstone on which our nation was founded.

"As Congress begins and continues the process of returning control to the states, it is essential to realize the significant power you hold as a North Carolina state legislator.

"Let me offer what may be a surprising proposition to some of you...

> States, not the federal government, hold the highest level of authority in this nation.

"It was your predecessors in this General Assembly, along with their colleagues in twelve other states, who originally founded this great nation of ours.

"It is through the power granted by these state legislatures that the President, Congress, and the Supreme Court receive their authority. You, as state legislators, have the ability to modify or even take away these powers.

"At the state level the power of this Body is even more apparent.

"The Governor derives his power from the state constitution and laws that you pass. The Governor may choose to veto legislation, but cannot independently enact legislation...only you, as state legislators, can independently enact legislation and over-ride the Governor's veto.

"As a member of the North Carolina House of Representatives, you are pivotal to public policy at the federal, state, and local levels. This is indeed a great responsibility.

"I challenge each of you to work diligently, in a bipartisan manner, to find the solutions to the problems facing our State and to bear the burden of your responsibilities as a Member of this House with dignity and pride.

"As we prepare to confront the challenges that await us, let us pause to truly appreciate our responsibilities here in Raleigh.

"The future of our children and grandchildren depend upon the efforts of individual legislators, such as yourself, who are willing to confront difficult situations and take principled stands.

"On this great day, I want to thank my colleagues for electing me to serve as Speaker of the House. You have given me a tremendous responsibility.

"I would like to close with a prayer by Father Pangrazzi which holds meaning for each of us as we enter this session.

'O Lord, give me enough tears to keep me human,
enough humor to keep me wise,
enough setbacks to keep me humble,
enough accomplishments to keep me confident,
enough patience to teach me waiting,
enough hope to teach me trusting,
enough friends to give me love,
enough memories to give me comfort,
and enough faith to keep me going. Amen.'

"Thank you."

The Speaker assumes the duties of the Chair.

ADOPTION OF RULES

Representative Daughtry is recognized and states that he has placed a resolution with the Clerk for consideration by the Body.

The Speaker directs the Clerk to number the resolution and places **H.R. 1,** A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1997 GENERAL ASSEMBLY, before the Body.

On motion of Representative Hensley, the House recesses at 1:30 p.m. by electronic vote (62-58).

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

H.R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA

HOUSE OF REPRESENTATIVES OF THE 1997 GENERAL ASSEMBLY, remains before the Body.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (106-12).

Representative Culpepper offers Amendment No. 2 which is adopted by electronic vote (61-57).

Representative Hensley offers Amendment No. 3 which fails of adoption, by electronic vote (60-60), due to lack of a majority.

Representative R. Hunter offers Amendment No. 4 which fails of adoption by electronic vote (59-61).

Representative Hightower offers Amendment No. 5 which fails of adoption by electronic vote (55-64).

Representative Michaux offers Amendment No. 6 which fails of adoption by electronic vote (58-61).

Representative Michaux offers Amendment No. 7 which fails of adoption by electronic vote (58-60).

The resolution, as amended, is adopted, by electronic vote (64-54), and ordered engrossed and printed.

ELECTION OF OFFICERS CONTINUED

SPEAKER PRO TEMPORE

The Speaker states that nominations are in order for Speaker Pro Tempore.

The Chair recognizes Representative Daughtry who places in nomination the name of Representative C. Robert Brawley as a nominee for Speaker Pro Tempore.

"It is my pleasure to stand here today to nominate for Speaker Pro Tem, Representative C. Robert Brawley. During his sixteen years in the House, he has demonstrated his ability to work with both parties. He has served as Vice Chair of Revenue Laws, Insurance, and Pensions in

Democratic administrations and has served as Joint Caucus Leader under the Republican Speaker.

"He has been active with the National Conference of State Legislatures, serving as the immediate past chair of the very important Commerce and Communications Committee, working to develop a solution to the telecommunications deregulations and he currently serves on the Executive Board of Directors for the National Conference of State Legislatures. The National Conference of State Legislatures is a national organization to promote states' rights and issues which concern all state legislators.

"Robert has also distinguished himself by currently serving as the President of the National Republican Legislators Association. The position of Speaker Pro Tem came about in 1973 to assure there would be someone in position to serve in the absence of the Speaker. Robert's strong administrative background assures he will do a good job. I gladly nominate Robert Brawley for the position of Speaker Pro Tem."

Representative Howard seconds the nomination.

"Mr. Speaker, I arise to second the nomination of Representative C. Robert Brawley for Speaker Pro Tem. Living in his area and having spoken with his constituents, I know he listens. He listens to what his constituents have to say and to what the people from the surrounding communities have on their minds.

"We have some tremendous challenges ahead of us as does each session of the General Assembly. The things we do affect all of the citizens of North Carolina.

"Therefore, Mr. Speaker, I stand to second the nomination of Robert Brawley for Speaker Pro Tem."

The Chair recognizes Representative Mitchell who places in nomination the name of Representative Carolyn Russell as a nominee for Speaker Pro Tempore.

"Mr. Speaker, Members of the House, family members, distinguished visitors and guests of the House, I come before you today to place in nomination for Speaker Pro Tempore of the North Carolina House of Representatives, a great leader and dedicated public servant, Representative Carolyn Russell.

"As Speaker Pro Tem, Carolyn Russell was at the forefront of the historic reforms passed by this Body over the last two years.

"Carolyn Russell led the fight to control runaway government spending. She sponsored the Taxpayers Protection Act which passed this Body with an overwhelming majority.

"Carolyn Russell led the fight to pass the largest tax relief package in North Carolina history. She knows that high taxes burden our families and slow our economy. Her efforts to cut the food tax and the personal income tax will help mothers and fathers spend more time with their children and less time working to pay the government.

"Her efforts to cut the corporate income tax have already paid off. Recently, three different surveys have named North Carolina's business environment the best in the country. And it also means more families can move from government dependence to self-reliance.

"Many of you know that the driving force behind Carolyn Russell's dedication to public service is her desire to strengthen North Carolina's families. She believes that the family is the most important foundation in making both our state and our nation strong and she is committed to protecting it.

"She has worked diligently to ensure policies established by this Body adhere to this fundamental truth.

"Carolyn and her husband, Douglas, dreamed the American Dream for their three children - Susannah, Douglas, and Meredith. And she is committed to making the American Dream work for every family. This means ensuring they have the freedom to pursue their dreams and can enjoy the fruits of their labor. It also means ensuring that each child in North Carolina receives the very best education the state can provide.

"As you know, Carolyn Russell is truly consumed by her desire to improve education in North Carolina. Carolyn is a strong, dedicated advocate for children. Her determination to improve our schools was clearly evident over the last two years. Carolyn Russell was at the forefront of House efforts to improve public education in North Carolina. Carolyn was a driving force behind our efforts to increase local control, create charter schools, reduce the state education bureaucracy, and increase accountability in schools. You can be assured she will not slow her efforts to reform our educational system. She knows that continuing to rank 48th in

the nation in education is simply unacceptable. We must make real reforms if we are going to truly improve our public schools. Carolyn Russell is the leader we need to lead these efforts.

"Whether it has been her work with mental health, women's issues or early childhood development, Carolyn Russell has dedicated her life to help the citizens of North Carolina have a strong voice in government.

"She is a caring, compassionate woman who sees the best in everyone. But we all know that she can be tough when necessary. This is a unique combination that works for very few people, however, Carolyn is able to carry it off with the grace and charm she is known for.

"Harmony being the strength of successful organizations, Carolyn combines her great compassion, keen intellect and strong leadership skills to guide the members of the House as we work harmoniously for all of the citizens of North Carolina.

"For those of us who have admired her work ethic, benefited from her counsel, and been inspired by her dedicated public service, I now place the name, Carolyn Barnes Russell, in nomination for Speaker Pro Tem of the North Carolina House of Representatives."

Representative Berry seconds the nomination.

"Mr. Speaker, distinguished guests, friends and colleagues.....

"Two years ago, I had the honor of nominating for Speaker Pro Tempore an outstanding member of this Body - Representative Carolyn Barnes Russell.

"I have watched with you as she fulfilled the duties of her office with grace, dignity and a high degree of intelligence.

"She is an exceptional role model for our young people all over the state, who are waiting in the wings to assume their positions in our society and our government.

"Carolyn Russell was elected two years ago by a clear majority of the members of this Body and rightfully assumed the office of Speaker Pro Tempore...

"Because, Ladies and Gentlemen, in our representative form of government - the majority rules.

"The majority rule is the keystone of our democracy and the underlying principle embraced by all of us regardless of our political affiliations.

"Every individual vote cast in our own elections to office, in our committees, in our caucus, and in this chamber is based on majority rule.

"Following the 1996 elections, our caucus met and Carolyn Russell was once again selected as our nominee for Speaker Pro Tempore by the majority vote.

"(No vote has been taken by our caucus to change that majority decision.)

"At no time have we ever - nor should we ever grant to any member of this esteemed Body the power to override the majority rule.

"For when we abdicate the majority rule - chaos reigns supreme!

"So therefore, Mr. Speaker...with great pride and purpose...I reaffirm our caucus majority decision and second the nomination of Carolyn Barnes Russell for the office of Speaker Pro Tempore because, Ladies and Gentlemen, it is the right thing to do."

Representative Neely seconds the nomination.

"Mr. Speaker and Members of the Body, my remarks will be brief. I think the two prior speakers have said it as well as I, or better, what it is I wish to say. But, because of the regard in which I hold Carolyn Russell, I wanted to add my own comments to this.

"This is a lady of extraordinary confidence that you've heard about - of character, integrity, honor, constancy, and ability. She deserves to continue to serve in the same capacity which she ably served in the last session.

"She brings to this Body prestige by her service in that capacity and I hope that we will re-elect her by an overwhelming vote to a position which she discharged ably. I do not believe in preferences, but I do believe that the women of this state also deserve representation at the highest levels and Carolyn Russell brings that additional benefit to us and on those grounds also I ask you to join in supporting her."

The Chair recognizes Representative Wood who places in nomination his own name as a nominee for Speaker Pro Tempore.

"Mr. Speaker, Ladies and Gentlemen of the House, family and friends, and citizens from across our great state and all those other government watchers out there; I know the hour is late and I'll keep this simple.

"My name is Steve Wood.

"Today, I begin serving my 6th term as a Representative of the people of House District 27.

"On behalf of my constituents and the membership of this big house, I am seeking your vote for Speaker Pro Tem.

"Many of you on both sides of the aisle have expressed the desire for a different Pro Tem leadership this term and my candidacy clearly provides you with this opportunity.

"I ask you to vote "Wood" on this next roll call and any subsequent roll calls, if required, and in sermonesque now that I have been nervously nominated, I will run. And if elected, I will serve to the best of my ability."

There being no further nominations, the Speaker declares the nominations closed and requests that the roll of the House be called.

The following members vote for Representative Brawley: Speaker Brubaker; Representatives Brawley, Buchanan, Daughtry, Ellis, Grady, Hiatt, Morris, Nichols, and Rayfield - 10.

The following members vote for Representative Russell: Representatives Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Berry, Bowie, Braswell, Brown, Cansler, Capps, Carpenter, Clary, Creech, Culp, Davis, Dickson, Dockham, Esposito, Gardner, Gray, Gulley, Hall, Hardy, Holmes, Howard, Ives, Justus, Kiser, McComas, McCombs, McMahan, Miner, Mitchell, Morgan, Neely, Preston, Reynolds, Russell, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Watson, Weatherly, C. Wilson, and G. Wilson - 50.

The following members vote for Representative Wood: Representatives Adams, Alexander, Beall, Black, Blue, Bonner, Boyd-McIntyre, Church, Cole, Crawford, Culpepper, Cunningham, Decker, Dedmon, Earle, Easterling, Eddins, Fitch, Fox, Gamble, Goodwin, Hackney, Hardaway,

Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCrary, Mercer, Michaux, Miller, Moore, Mosley, Nesbitt, Nye, Oldham, Owens, Ramsey, Redwine, Rogers, Saunders, Smith, Sutton, Tolson, Wainwright, Warwick, Warner, Wilkins, Womble, Wood, Wright, and Yongue - 60.

Representative Braswell requests that his vote be changed from Russell to Wood. The adjusted vote total is Representative Wood - 61, Representative Russell - 49 and Representative Brawley - 10.

Representative Wood, having received a majority vote, is declared Speaker Pro Tempore.

The Speaker Pro Tempore, escorted to the Well of the House by Representatives Decker, Goodwin, Black, and Adams, take and subscribes to the following oath of office administered by Associate Justice Robert F. Orr of the North Carolina Supreme Court.

OATH FOR SPEAKER PRO TEMPORE OF THE 1997 HOUSE OF REPRESENTATIVES

"I, Stephen W. Wood, do solemnly affirm, that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely affirm that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do affirm that I will faithfully discharge the duties of the office of Speaker Pro Tempore of the 1997 House of Representatives according to the best of my skill and ability, according to law; so help me God."

Speaker Pro Tempore Wood makes the following remarks.

"Thank you Mr. Speaker and Ladies and Gentlemen of the House. I'm most grateful for your vote of confidence today.

"I'm still so nervous I can't hardly say anything - not just out of being scared or out of fear - but out of appreciation and thankfulness and gratitude for the vote that you have given me today here on the first ballot.

"I didn't come with a speech in hand, so I reserve the right, Mr. Speaker, to prepare perhaps a speech and give that on another occasion. But I do want to say that it was a childhood dream of mine - growing up as the youngest of ten children in western Forsyth County - to come to the General Assembly. It was when I made that pilgrimage down here with the classes, as you know, Representative Black, as they do down here, teachers bring them down - they were still meeting in the old Chamber over there. That's when I made my first visit here and a dream was planted on that day that it might be possible for Steve Wood, Annie and Doc Woods' son, to make it to the North Carolina House and on this day to be elected Speaker Pro Tem.

"Contrary to what the High Point Enterprise and others say in the press - I did move to Guilford County. I am a resident of Guilford County now and I am so grateful for the voters and the citizens of House District 27 which have given me this opportunity to be here and to achieve this great honor on their behalf, as well, today.

"Thank you and God bless this great House and God bless this great state of North Carolina."

ELECTION OF OFFICERS CONTINUED

PRINCIPAL CLERK

The Speaker announces that nominations are in order for Principal Clerk of the House of Representatives.

Representative Ellis is recognized and he places the name of Denise G. Weeks of Wake County in nomination for Principal Clerk.

Representative McAllister seconds the nomination and upon her motion, the nominations are closed and Ms. Weeks is elected by acclamation.

Denise G. Weeks takes and subscribes to the following oath of office administered by the Speaker of the House as authorized under G.S. 120-5.

OATH FOR PRINCIPAL CLERK OF THE 1997 HOUSE OF REPRESENTATIVES

"I, DENISE G. WEEKS, do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Principal Clerk of the 1997 House of Representatives according to the best of my skill and ability, according to law; so help me God."

APPOINTMENT OF OFFICERS

Pursuant to Rule 45(c), the Speaker appoints Ms. Susan M. Johnson as Reading Clerk and Mr. Clyde Cook, Jr., as Sergeant-at-Arms for the 1997 House of Representatives.

Ms. Johnson and Mr. Cook take and subscribe to the following oaths of office as administered by Associate Justice Robert F. Orr, North Carolina Supreme Court.

OATH FOR READING CLERK OF THE 1997 HOUSE OF REPRESENTATIVES

"I, SUSAN MURRAY JOHNSON, do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Reading Clerk of the 1997 House of Representatives according to the best of my skill and ability, according to law; so help me God."

OATH FOR SERGEANT-AT-ARMS OF THE 1997 HOUSE OF REPRESENTATIVES

"I, CLYDE COOK, JR., do solemnly swear that I will support and maintain the Constitution and laws of the United States; so help me God; and

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

"I do swear that I will faithfully discharge the duties of the office of Sergeant-at-Arms of the 1997 House of Representatives according to the best of my skill and ability, according to law; so help me God."

CAUCUS LEADERS ANNOUNCED

Representative Daughtry is recognized and he reports that the Republican Caucus has been held and that Representative Howard has been elected the House Majority Whip and Representative Daughtry has been elected the House Majority Leader.

Representative Black is recognized and he reports that the Democratic Caucus will select their leaders at a later date.

The Speaker declares that the House of Representatives of 1997 is organized and orders that a Special Message be sent to the Senate so advising that Honorable Body that the House is now ready to proceed with public business.

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
January 29, 1997

Mr. Speaker:

It is ordered that a message be sent the House of Representatives informing that Honorable Body that the Senate is organized and is now ready to proceed with the public business; and for your further information advises that the following officers have been elected:

Senator Marc Basnight	President Pro Tempore
Senator Frank W. Ballance, Jr.	Deputy President Pro Tempore
Janet B. Pruitt	Principal Clerk
LeRoy Clark, Jr.	Reading Clerk
Cecil Goins	Sergeant-at-Arms

Further be advised that the Senate has been notified of the election of the following party officers:

Senator R. C. Soles, Jr.	Permanent Majority Caucus Chairman
Senator J. Richard Conder	Majority Leader
Senator Leslie Winner	Majority Whip
Senator Jeanne Hopkins Lucas	Permanent Majority Caucus Secretary
Senator Robert G. Shaw	Minority Leader
Senator Hugh Webster	Minority Whip

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

On motion of Representative Daughtry, seconded by Representative Black, the House adjourns at 4:05 p.m. to reconvene January 30 at 10:00 a.m.

SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, January 30, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Davis.

Representative Daughtry reports the Journal of January 29 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (109-1).

A leave of absence is granted Representative Warwick for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

January 28, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601
Dear Mr. Speaker:

Pursuant to General Statute 62-10, I hereby appoint William R. Pittman to serve as a member of the North Carolina Utilities Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Pittman will complete the unexpired term of Judge Hugh Wells. His term will begin immediately on an interim basis pending legislative confirmation and will expire on June 30, 2001.

Enclosed is biographical information on Mr. Pittman. Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt Jr.
Governor

The Speaker refers the letter to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Luebke, Alexander, Baddour, Beall, Black, Blue, Boyd-McIntyre, Culpepper, Cunningham, Easterling, Fitch, Goodwin, Hensley, H. Hunter, Insko, McAllister, Michaux, Miller, Mosley, Oldham, Ramsey, Redwine, Sutton, Tolson, Warner, and Womble:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL TWO CENTS, is referred to the Committee on Finance.

By Representatives C. Wilson, Black, Cansler, Church, Hardy, Hill, Hurley, Morris, Mosley, Rayfield, Russell, Shubert, and G. Wilson:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PUBLIC RIGHT TO KNOW ABOUT CAMPAIGNS, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Holmes, Brown, Hardy, and Rayfield:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF YADKINVILLE FROM CERTAIN STATUTORY REQUIREMENTS IN THE EXPANSION AND IMPROVEMENT OF THE TOWN'S SEWAGE TREATMENT PLANT, is referred to the Committee on Local and Regional Government II.

By Representatives Aldridge, Baddour, Boyd-McIntyre, Easterling, Jarrell, McAllister, Miller, Morris, Rayfield, Russell, Warner, and G. Wilson:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS, is referred to the Committee on Insurance.

By Representatives Aldridge, Hardy, Rayfield, Shubert, and G. Wilson:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE LEGISLATURE AND LIMIT

THEM TO THREE CONSECUTIVE TERMS IN A HOUSE, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Aldridge, Hardy, Rayfield, Shubert, and G. Wilson:

H.B. 7, A BILL TO BE ENTITLED AN ACT TO MAKE STATUTORY CONFORMING CHANGES REQUIRED TO IMPLEMENT AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE LEGISLATURE AND LIMIT THEM TO THREE CONSECUTIVE TERMS IN A HOUSE, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Carpenter and Rayfield:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO REPEAL RESTRICTIONS ON HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Carpenter, Cansler, and Rayfield:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOTOR VEHICLE SAFETY INSPECTION, is referred to the Committee on Transportation.

INTRODUCTION OF PAGES

Pages for the week of January 29 are introduced to the membership. They are: Lauren Elizabeth Allen of Granville; Javon Beatty of Hoke; Kathleen Brothers of Wake; Kimberly Michelle Davis of Forsyth; Lisa Robin Doliner of Wake; Jennifer Lee Eddins of Wake; Kevin Long Eddins of Wake; Elise Deanna Fuller of Wake; Melissa Grace Godwin of Wake; Roneka Renee' Holmes of Pender; Jamie David Keller of Wake; Bevin Anne Prince of Wake; Tony Andrew Radakovich of Wake; Brian Dominic Sokol of Wake; Melissa Gladys Sokol of Wake; and Aaron Mikel Wosnak of Wake.

On motion of Representative Daughtry, seconded by Representative Black, the House adjourns at 10:25 a.m. to reconvene Monday, February 3, 1997, at 7:00 p.m.

THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, February 3, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James Sledge, Western Boulevard Presbyterian Church of Raleigh.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Daughtry reports the Journal of January 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (114-0).

A leave of absence is granted Representative Hurley for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Nichols, Aldridge, Allred, Cansler, Davis, Eddins, Gamble, Hall, Hardy, Hill, Ives, McComas, Mitchell, Moore, and Rayfield:

H.B. 10, A BILL TO BE ENTITLED AN ACT TO RESTRICT FORMER LEGISLATORS FROM LOBBYING FOR TWO YEARS, is referred to the Committee on Election Law and Campaign Reform and, if favorable, to the Committee on Judiciary I.

By Representative Nichols:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO GIVE THE CRAVEN COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY IN MAKING UP SCHOOL DAYS LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Local and Regional Government I.

By Representatives Dickson, Baker, Beall, Bonner, Creech, Davis, Dedmon, Eddins, Goodwin, Hill, H. Hunter, Hurley, Ives, McComas,

Morris, Nye, Rayfield, Reynolds, Shubert, Smith, Starnes, Sutton, Tolson, Watson, Weatherly, G. Wilson, and Yongue:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, is referred to the Committee on Commerce and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cansler, Aldridge, Baker, Beall, Black, Blue, Brown, Capps, Church, Creech, Davis, Dedmon, Dockham, Gardner, Goodwin, Hall, Hardy, Hill, Ives, McComas, McMahan, Mitchell, Moore, Morris, Neely, Preston, Ramsey, Rayfield, Sexton, Shubert, Smith, Starnes, Tolson, Warner, Watson, Weatherly, and G. Wilson:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND REDUCE INHERITANCE TAXES, is referred to the Committee on Finance.

By Representatives Cansler, Beall, Blue, Capps, Church, Creech, Davis, Hall, McComas, McMahan, Neely, and Rayfield:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SALES TAX DEFINITION OF CUSTOM COMPUTER SOFTWARE, is referred to the Committee on Finance.

By Representatives Cansler, Aldridge, Blue, Capps, Church, Creech, Davis, Hall, Hardy, Ives, McComas, McMahan, Neely, and Shubert:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, is referred to the Committee on Finance.

By Representatives Hall, Aldridge, Davis, Dickson, Gulley, Hardy, Hill, H. Hunter, McComas, McMahan, Shubert, and Watson:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CONSTRUCTION OF (1) NEW ANIMAL WASTE MANAGEMENT SYSTEMS THAT MUST BE PERMITTED AND (2) EXPANSIONS OF SUCH EXISTING SYSTEMS IN A LOCATION THAT IS SUBJECT TO FLOODING BY A ONE-HUNDRED-YEAR FLOOD, is referred to the Committee on Environment.

By Representatives Bowie and Wood:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO REPEAL AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Howard, Baker, Capps, Davis, Gardner, Morris, Rayfield, Shubert, and Watson:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CREATE A LEGISLATIVE COMMISSION ON JOB TRAINING PROGRAMS TO REORGANIZE THE WORKFORCE DEVELOPMENT SYSTEM IN NORTH CAROLINA, is referred to the Committee on Commerce.

By Representatives McMahan, Baker, Cansler, Davis, Dockham, Gardner, Grady, Hall, Hardy, Miner, Morris, Preston, Rayfield, Russell, Sherrill, Shubert, Starnes, Thompson, and Watson:

H.B. 19, A BILL TO BE ENTITLED AN ACT TO INCREASE GIVING TO CHARITABLE NONPROFIT ORGANIZATIONS BY EXPANDING THE STATE CORPORATE INCOME TAX DEDUCTION FOR CHARITABLE CONTRIBUTIONS, is referred to the Committee on Finance.

By Representatives McMahan, Baker, Cansler, Davis, Dockham, Gardner, Goodwin, Grady, Hall, Hardy, Miner, Moore, Morris, Preston, Rayfield, Russell, Sherrill, Shubert, Starnes, Thompson, and Wood:

H.B. 20, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS BY NONITEMIZERS, is referred to the Committee on Finance.

By Representatives Goodwin, Bonner, Dedmon, Hall, Moore, Morris, and Yongue:

H.R. 21, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN SHORTRIDGE, FOUNDER OF THE CITY OF HAMLET, ON THE CITY'S ONE HUNDREDTH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rayfield, Alexander, Brown, Capps, Dockham,

Gulley, Hardy, Hill, Ives, McComas, McMahan, Morris, Saunders, Sexton, Shubert, Starnes, and Wood:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT, is referred to the Committee on Finance.

By Representatives Cansler, Capps, McComas, McMahan, Rayfield, Shubert, and Weatherly:

H.B. 23, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA CAMPAIGN STANDARDS CODE TO BE ENFORCED BY A CAMPAIGN STANDARDS COMMISSION, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Cansler, Capps, Ives, Rayfield, Shubert, and Weatherly:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXTRA CONTRIBUTION LIMIT PERIOD FOR THE SECOND PRIMARY FOR CANDIDATES WHO ARE NOT ON THE BALLOT IN A SECOND PRIMARY, is referred to the Committee on Election Law and Campaign Reform.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.J.R. 18, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of February 3 are introduced to the membership. They are: Carrie Leigh Adams of Mecklenburg; Melissa Ann Baker of Wake; Brett Quinn Bostic of Wake; Sarah Melinda Bostic of Moore, Alexis Claire Bulow of Pitt; Andrew James Ferguson of Wake; Robert H. Gomez of Onslow; Kristen Renee Huffines of Guilford; Ryan Matthew Kelly of

Wake; Heather A. Love of Wake; Michael M. Malek of Wake; Marcy Ann Marshburn of Onslow; Luke William Mills of Wake; Karen Michelle Spencer of Wake; Jill Caroline Stewart of Wake; and Jennifer Carol Williford of Wake.

On motion of Representative Daughtry, seconded by Representative Watson, the House adjourns at 7:17 p.m. to reconvene February 4 at 10:00 a.m.

FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 4, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Capps.

Representative Daughtry reports the Journal of February 3 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (109-3).

A leave of absence is granted Representative Hurley for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Thompson, Beall, Cunningham, Preston, Rayfield, Sexton, and Weatherly:

H.J.R. 25, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CONSUMER PROTECTION ISSUES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson, Beall, Cunningham, Preston, and Rayfield:

H.B. 26, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE LP GAS STATUTE, is referred to the Committee on Commerce, Subcommittee on Public Utilities.

By Representatives Thompson, Beall, Cunningham, Hardy, Hill, Preston, Rayfield, and Weatherly:

H.B. 27, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE ESTABLISHMENT OF PYRAMID DISTRIBUTION PLANS, is referred to the Committee on Commerce, Subcommittee on Business and Labor and, if favorable, to the Committee on Judiciary II.

By Representatives Baker and Davis:

H.B. 28, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FIFTH MEMBER OF A COUNTY BOARD OF SOCIAL SERVICES TO BE SELECTED BY MAJORITY VOTE OF THE FOUR OTHER MEMBERS, is referred to the Committee on Human Resources.

By Representatives Baker, Gulley, and Hall:

H.B. 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM RAFFLE CASH PRIZES AND THE FAIR MARKET VALUE OF RAFFLE MERCHANDISE PRIZES, is referred to the Committee on Judiciary II.

By Representatives Baker, Cansler, Church, Culp, Davis, Gulley, and Hill:

H.B. 30, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES, is referred to the Committee on Judiciary I.

By Representatives Baker, Arnold, Buchanan, Church, Clary, Davis, Gulley, Hill, Morris, and Shubert:

H.B. 31, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE NORTH CAROLINA GOVERNMENT COMPETITION COMMISSION TO PROVIDE FOR BETTER GOVERNMENT IN NORTH CAROLINA THROUGH A COMPREHENSIVE STATE GOVERNMENT COMPETITION INITIATIVE, is referred to the Committee on State Government.

By Representatives Boyd-McIntyre, Adams, Braswell, Cunningham, Earle, Hardaway, Jeffus, McAllister, McCrary, Oldham, Sutton, and Womble:

H.B. 32, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW CLASSROOM BUILDING AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Boyd-McIntyre, Adams, Braswell, Cunningham, Earle, Hardaway, Jeffus, McAllister, McCrary, Oldham, Sutton, and Womble:

H.B. 33, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LAND ACQUISITION FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Brawley and Buchanan:

H.B. 34, A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF CATAWBA, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Capps, Aldridge, Blue, Cansler, Church, Neely, and Shubert:

H.B. 35, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME ALLOWED GOVERNMENT ENTITIES AND NONPROFIT ENTITIES FOR CLAIMING SALES TAX REFUNDS, is referred to the Committee on Finance.

By Representatives Capps, Aldridge, Blue, Cansler, Church, Neely, and Shubert:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO RELIEVE CONSUMERS OF THE REQUIREMENT OF FILING MONTHLY USE TAX RETURNS, is referred to the Committee on Finance.

By Representatives Allred, Brown, Buchanan, Cansler, Culp, Hardy, Justus, Moore, Morris, Rayfield, Sexton, Smith, Thompson, Warner, Weatherly, and Wood:

H.B. 37, A BILL TO BE ENTITLED AN ACT TO INCREASE THE HOMESTEAD EXEMPTION AMOUNT AND THE INCOME LIMIT TO TWENTY-FIVE THOUSAND DOLLARS, is referred to the Committee on Finance.

By Representatives Allred, Brown, Buchanan, Cansler, Clary, Culp, Decker, Fox, Gulley, Hiatt, Justus, Morris, Reynolds, Shubert, and Thompson:

H.B. 38, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENTS THAT CORPORATIONS FILE ANNUAL REPORTS WITH AND PAY ANNUAL REPORT FILING FEES TO THE OFFICE OF THE SECRETARY OF STATE, is referred to the Committee on Finance.

By Representatives Allred and Reynolds:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Allred and Mosley:

H.B. 40, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF WATER ISSUES, is referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Daughtry, seconded by Representative Wainwright, the House adjourns at 10:19 a.m. to reconvene February 5 at 10:00 a.m.

FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 5, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Alexander.

Representative Daughtry reports the Journal of February 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-3).

Leaves of absence are granted Representatives Hurley and Sutton for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Davis, Brawley, Cole, Fox, Hill, Moore, Mosley, Rogers, and Tolson:

H.B. 41, A BILL TO BE ENTITLED AN ACT TO CREATE A DOWNTOWN LOAN GUARANTEE FUND THAT WILL GUARANTEE TWENTY-FIVE PERCENT OF ELIGIBLE LOANS MADE BY PARTICIPATING LENDING INSTITUTIONS FOR DOWNTOWN DEVELOPMENT, is referred to the Committee on Commerce, Subcommittee on Business and Labor and, if favorable, to the Committee on Finance.

By Representatives Davis, Hall, Hill, Moore, and Mosley:

H.B. 42, A BILL TO BE ENTITLED AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Davis, Brawley, Cole, Fox, Hill, Moore, Mosley, Rogers, Shubert, and Tolson:

H.B. 43, A BILL TO BE ENTITLED AN ACT TO RECAPITALIZE THE MAIN STREET FINANCIAL INCENTIVE FUND, is referred to the Committee on Appropriations.

By Representatives Davis, Allred, Brawley, Cole, Fox, Hill, Moore, Mosley, and Tolson:

H.B. 44, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX CREDIT FOR EXPENDITURES TO REHABILITATE HISTORIC STRUCTURES AND BUILDINGS THAT WERE BUILT BEFORE 1936, is referred to the Committee on Finance.

By Representatives Davis, Allred, Brawley, Cole, Fox, Hill, Moore, Mosley, Shubert, and Tolson:

H.B. 45, A BILL TO BE ENTITLED AN ACT TO ADD A DOWNTOWN DEVELOPMENT REPRESENTATIVE TO THE MEMBERSHIP OF THE BUILDING CODE COUNCIL, is referred to the Committee on Commerce, Subcommittee on Business and Labor.

By Representatives Davis, Allred, Brawley, Cole, Culp, Fox, Hill, Moore, Mosley, Rogers, Sexton, Shubert, and Tolson:

H.B. 46, A BILL TO BE ENTITLED AN ACT TO DIRECT THE HOUSING FINANCE AGENCY TO EXAMINE THE USE OF FUNDS FROM THE HOUSING TRUST FUND IN DOWNTOWN AREAS, is referred to the Committee on Commerce, Subcommittee on Business and Labor.

By Representatives Davis, Brawley, Fox, Hill, Ives, Moore, Mosley, Sexton, Shubert, and Tolson:

H.B. 47, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A STUDY BY THE LEGISLATIVE RESEARCH COMMISSION OF ISSUES RELATED TO THE ENFORCEMENT OF THE BUILDING CODE AND QUALIFICATIONS OF CODE ENFORCEMENT OFFICIALS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis, Allred, Brawley, Fox, Hill, Moore, Mosley, Rogers, and Tolson:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF COMMERCE TO MAINTAIN A DATABASE OF DOWNTOWN PROPERTIES AVAILABLE FOR INDUSTRIAL RECRUITMENT, is referred to the Committee on Commerce, Subcommittee on Business and Labor.

By Representatives Davis, Brawley, Fox, Hill, Moore, Mosley, Sexton, and Tolson:

H.B. 49, A BILL TO BE ENTITLED AN ACT TO PROVIDE TRAINING FOR BUILDING CODE ENFORCEMENT OFFICIALS IN THE INSPECTION AND REVIEW OF EXISTING BUILDINGS AND HISTORIC STRUCTURES, is referred to the Committee on Commerce, Subcommittee on Business and Labor and, if favorable, to the Committee on Appropriations.

By Representatives Davis, Aldridge, Allred, Brawley, Cole, Fox, Hill, Moore, Morris, Mosley, Rogers, Sexton, and Tolson:

H.B. 50, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY DOWNTOWN REVITALIZATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cansler, Ives, Nesbitt, and Sherrill:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO GIVE MUNICIPALITIES IN BUNCOMBE COUNTY GENERAL LAW POWERS AS TO DOWNTOWN DEVELOPMENT PROJECTS, is referred to the Committee on Local and Regional Government II.

By Representatives Weatherly, Cansler, Cole, Culp, Dickson, Mercer, Rayfield, and C. Wilson:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION TO HANDLE REDISTRICTING MATTERS AND TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PREPARATION FOR THE 2001 REDISTRICTING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner, Hardy, Hill, Hurley, Kinney, McAllister, Moore, Morris, Smith, and Yongue:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE EIGHTY-SECOND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Warner, Cole, Hardy, Hill, Hurley, Kinney, McAllister, Moore, Morris, Smith, and Yongue:

H.B. 54, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPOUSES OF PURPLE HEART PLATE HOLDERS MAY CONTINUE TO BE ISSUED THOSE PLATES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Warner, Allred, Cole, Hardy, Hill, Hurley, Kinney, McAllister, Moore, Morris, Sexton, Smith, and Yongue:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL PURPLE HEART AWARD REGISTRATION PLATES SHALL BE ISSUED WITHOUT A FEE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Gardner, Aldridge, Culp, and Shubert:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY COMMISSION ON THE REORGANIZATION OF THE DEPARTMENT OF HUMAN RESOURCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Neely, Blue, Cansler, Capps, Church, Hill, Mosley, and Shubert:

H.B. 57, A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, is referred to the Committee on Finance.

By Representatives Neely, Allred, Blue, Cansler, Capps, Church, Hill, Mosley, and Shubert:

H.B. 58, A BILL TO BE ENTITLED AN ACT TO CREATE A STATUTORY REVENUE LAWS STUDY COMMITTEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Neely, Blue, Cansler, Capps, Church, Hill, Mosley, and Shubert:

H.B. 59, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, is referred to the Committee on Finance.

By Representatives Brown, Buchanan, Culp, Hill, Mosley, Rayfield, Russell, Tolson, and Weatherly:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION, is referred to the Committee on Appropriations.

By Representatives Brown, Culp, and Hill:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE SECTIONS OF CHAPTER 106 OF THE NORTH CAROLINA GENERAL STATUTES, is referred to the Committee on Agriculture.

By Representative Ives:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of the Chair and without objection, **S.J.R. 18,** A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (114-0), and without objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

On motion of Representative Daughtry, seconded by Representative Cole, the House adjourns at 10:15 a.m. to reconvene February 6 at 10:00 a.m.

SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 6, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Easterling.

Representative Daughtry reports the Journal of February 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (108-2).

Leaves of absence are granted Representatives Brawley and Hurley for today.

ENROLLED BILL

The following resolution is duly ratified, properly enrolled, and sent to the office of the Secretary of State:

S.J.R. 18, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES. (RESOLUTION 1)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Nichols and Wainwright:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives McMahan, Black, Grady, Owens, Preston, Rogers, and Wood:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS AND FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Beall and Ramsey:

H.B. 65, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Brown, Aldridge, Baker, Barbee, Buchanan, Capps, Culp, Eddins, Goodwin, McComas, Mitchell, Weatherly, and G. Wilson:

H.B. 66, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW, is referred to the Committee on Judiciary II.

By Representative Decker:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Crawford, Hardaway, and Wilkins:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROANOKE RAPIDS TO DONATE UNCLAIMED BICYCLES TO CHARITY, is referred to the Committee on Local and Regional Government I.

By Representatives Crawford, Hardaway, and Wilkins:

H.B. 69, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF ROANOKE RAPIDS PROVISIONS OF A LOCAL ACT WHICH PROVIDES THAT SERVICE OF COMPLAINTS OR ORDERS ISSUED IN HOUSING CODE CASES IS SUFFICIENT WHERE THE COMPLAINTS OR ORDERS ARE SENT BY REGISTERED OR CERTIFIED MAIL IN CONJUNCTION WITH REGULAR MAIL AND THE REGISTERED OR CERTIFIED MAIL IS RETURNED, BUT THE REGULAR MAIL IS NOT RETURNED WITHIN TEN DAYS AFTER MAILING, is referred to the Committee on Local and Regional Government I.

By Representatives Crawford, Hardaway, and Wilkins:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, is referred to the Committee on Local and Regional Government I.

By Representatives Crawford, Hardaway, and Wilkins:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representative Decker:

H.B. 72, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

COMMITTEE ASSIGNMENTS

The Speaker makes the following standing committee assignments:

AGRICULTURE: Representative Brown, Chair; Representatives Carpenter, Culp, and Mitchell, Vice Chairs; Representative Hill, Ranking Minority Member; Representatives Aldridge, Baker, Buchanan, Davis, Eddins, Fox,

Hardaway, Hightower, H. Hunter, Kiser, McCrary, Mercer, Nichols, Owens, Reynolds, Rogers, Smith, Tolson, Watson, Weatherly, and Yongue.

APPROPRIATIONS: Representatives Holmes (Senior Ranking Member), Esposito, Creech, and Crawford, Co-Chairs.

SUBCOMMITTEE ON CAPITAL AND BUDGET: Representatives Russell, G. Wilson, and Nichols, Co-Chairs; Representative Church, Ranking Minority Member; Representatives Arnold, Berry, Bonner, Bowie, Dockham, Earle, Easterling, Gardner, Hall, Hightower, Ives, Kiser, Michaux, Mitchell, Moore, Mosley, Neely, Warner, and Warwick.

SUBCOMMITTEE ON EDUCATION: Representatives Preston, Arnold, and Grady, Co-Chairs; Representative Rogers, Ranking Minority Member; Representatives Black, Davis, Oldham, Reynolds, Shubert, and Yongue.

SUBCOMMITTEE ON GENERAL GOVERNMENT: Representatives Ives, McCombs, and Sherrill, Co-Chairs; Representative Culpepper, Ranking Minority Member; Representatives Braswell, Decker, Ellis, Jeffus, and Wainwright.

SUBCOMMITTEE ON HUMAN RESOURCES: Representatives Gardner, Cansler, and Clary, Co-Chairs; Representative Nye, Ranking Minority Member; Representatives Adams, Aldridge, Alexander, Hurley, and Watson.

SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY: Representatives Justice, Thompson and Kiser, Co-Chairs; Representative McCrary, Ranking Minority Member; Representatives Hardy, Kinney, Redwine, Sexton, and Smith.

SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Representatives Mitchell, Baker, and Carpenter, Co-Chairs; Representative Owens, Ranking Minority Member; Representatives Culp, Fox, Hall, H. Hunter, Tolson, Weatherly, and Wilkins.

SUBCOMMITTEE ON TRANSPORTATION: Representatives Bowie, McMahan, and Dockham, Co-Chairs; Representative Hardaway, Ranking Minority Member; Representatives Barbee, Blue, Gulley, Hiatt, McAllister, Morgan, Saunders, and Sutton.

COMMERCE: Representatives Miner (Senior Ranking Member), Berry, Tallent, Hiatt, and Church, Co-Chairs.

SUBCOMMITTEE ON BUSINESS AND LABOR: Representative Davis, Chair; Representative Alexander, Ranking Minority Member; Representatives Baker, Blue, Bowie, Boyd-McIntyre, Brawley, Creech, Easterling, Goodwin, Hill, Morris, Rayfield, Redwine, Saunders, Sherrill, and G. Wilson.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS: Representative Hall, Chair; Representative Ramsey, Ranking Minority Member; Representatives Dedmon, Dockham, Hardaway, Hardy, R. Hunter, Justus, McAllister, McMahan, Nichols, Smith, and Thompson.

SUBCOMMITTEE ON PUBLIC UTILITIES: Representative McComas, Chair; Representative Crawford, Ranking Minority Member; Representatives Allred, Bonner, Braswell, Culpepper, Dickson, Holmes, Hurley, Ives, McCombs, McCrary, Mitchell, Morgan, Neely, Nye, Reynolds, Rogers, C. Wilson, and Womble.

SUBCOMMITTEE ON TRAVEL AND TOURISM: Representative Starnes, Chair; Representative Wright, Ranking Minority Member; Representatives Cansler, Fox, Grady, Preston, Warwick, Watson, and Wilkins.

CONGRESSIONAL REDISTRICTING: Representative McMahan, Chair; Representative Hill, Ranking Minority Member; Representatives Arnold, Berry, Blue, Bowie, Church, Crawford, Culp, Davis, Esposito, Grady, Gray, Hardaway, Holmes, R. Hunter, Justus, Kiser, McAllister, Michaux, Morgan, Oldham, Russell, Starnes, and Sutton.

EDUCATION: Representatives Russell and Shubert, Co-Chairs; Representative Crawford, Ranking Minority Member.

SUBCOMMITTEE ON COMMUNITY COLLEGES: Representative Rayfield, Chair; Representative Fox, Ranking Minority Member; Representatives Dockham, Grady, Owens, Sexton, and Tolson.

SUBCOMMITTEE ON PRE-SCHOOL, ELEMENTARY AND SECONDARY EDUCATION: Representative Capps, Chair; Representative Kinney, Ranking Minority Member; Representatives Arnold, Beall, Black, Cansler, Cole, Davis, Decker, Gulley, Hall,

Hensley, Hiatt, Insko, Moore, Morris, Mosley, Nye, Preston, Sherrill, Warner, and C. Wilson.

SUBCOMMITTEE ON UNIVERSITIES: Representative Crawford, Chair; Representative Oldham, Ranking Minority Member; Representatives Boyd-McIntyre, Dickson, Ives, McMahan, Nichols, Smith, and Wilkins.

ELECTION LAW AND CAMPAIGN REFORM: Representatives Justus and C. Wilson, Co-Chairs; Representative Wainwright, Ranking Minority Member; Representatives Aldridge, Alexander, Arnold, Baddour, Berry, Bonner, Braswell, Cansler, Dedmon, Hardy, Hiatt, Insko, Jarrell, Kiser, Michaux, Rayfield, Redwine, Shubert, Tallent, Warner, and Weatherly.

ENVIRONMENT: Representatives Eddins, Hill, and Watson, Co-Chairs; Representative Yongue, Ranking Minority Member; Representatives Baddour, Brown, Cole, Culp, Gamble, Gardner, Gulley, Hackney, Hall, Hightower, Kinney, McComas, McCombs, Mitchell, Mosley, Neely, Nichols, Preston, Warner, Warwick, and Weatherly.

ETHICS: Representative Howard, Chair; Representative Gamble, Ranking Minority Member; Representatives Blue, Easterling, Gray, Morgan, Neely, Russell, Sutton, Tallent, and Wright.

FINANCE: Representatives Gray (Senior Ranking Member), C. Wilson, Dickson, and Brawley, Co-Chairs; Representative Hill, Ranking Minority Member; Representatives Allred, Arnold, Baddour, Beall, Berry, Boyd-McIntyre, Brown, Buchanan, Capps, Carpenter, Cole, Crawford, Cunningham, Dedmon, Eddins, Fitch, Gamble, Goodwin, Hackney, Hensley, Howard, R. Hunter, Insko, Jarrell, Luebke, McComas, McCombs, McMahan, Mercer, Miller, Miner, Morgan, Morris, Neely, Nesbitt, Ramsey, Rayfield, Russell, Starnes, Tallent, Womble, Wood, and Wright.

SUBCOMMITTEE ON LOCAL, REGIONAL, AND STATE REVENUES: Representative Hill, Chair; Representatives Berry, Buchanan, Capps, Cunningham, Dedmon, Eddins, McComas, Morgan, Morris, Neely, Rayfield, and Starnes.

HUMAN RESOURCES: Representatives Aldridge and Howard, Co-Chairs; Representative Ramsey, Ranking Minority Member.

SUBCOMMITTEE ON AGING: Representative G. Wilson, Chair; Representative Earle, Ranking Minority Member; Representatives

Clary, Creech, Culp, Cunningham, Gardner, H. Hunter, Moore, Ramsey, Rayfield, Warwick, and Womble.

SUBCOMMITTEE ON FAMILIES: Representative Ives, Chair; Representative Easterling, Ranking Minority Member; Representatives Adams, Bowie, Esposito, Gulley, Insko, McAllister, Nesbitt, and Watson.

INSURANCE: Representative Dockham, Chair; Representative Hurley, Ranking Minority Member; Representatives Allred, Barbee, Black, Brawley, Cole, Dedmon, Dickson, Gamble, Gardner, Hardaway, Hardy, Hensley, Holmes, Ives, Luebke, McComas, Miller, Miner, Preston, Tallent, Wainwright, and Wright.

SUBCOMMITTEE ON HEALTH: Representative McComas, Chair; Representative Wainwright, Ranking Minority Member; Representatives Barbee, Cole, Dickson, Hardy, Hensley, Holmes, Ives, Luebke, Miller, Miner, Preston, and Wright.

JUDICIARY I: Representatives Daughtry and Hardy, Co-Chairs; Representative Braswell, Ranking Minority Member; Representatives Arnold, Blue, Capps, Clary, Crawford, Ellis, Esposito, Fitch, Hall, Hardaway, Holmes, R. Hunter, Hurley, Jeffus, Justus, Michaux, Miller, Morgan, Sherrill, and Thompson.

JUDICIARY II: Representative Neely, Chair; Representative Kiser, Vice Chair; Representative Culpepper, Ranking Minority Member; Representatives Baddour, Berry, Bowie, Cansler, Creech, Decker, Gardner, Goodwin, Hackney, Hensley, McMahan, Nesbitt, Russell, Saunders, Shubert, Sutton, Weatherly, and Wilkins.

LOCAL AND REGIONAL GOVERNMENT I: Representative Ellis, Chair; Representative Rogers, Ranking Minority Member; Representatives Allred, Braswell, Buchanan, Carpenter, Cunningham, Dedmon, Hardy, Hurley, Kiser, Reynolds, Saunders, and Tallent.

LOCAL AND REGIONAL GOVERNMENT II: Representative Decker, Chair; Representative Owens, Ranking Minority Member; Representatives Barbee, Capps, Dockham, Jarrell, Jeffus, McAllister, Sexton, Tolson, and G. Wilson.

PENSIONS AND RETIREMENT: Representative Barbee, Chair; Representative Church, Ranking Minority Member; Representatives Allred,

Beall, Brawley, Carpenter, Goodwin, Grady, Gray, Hardy, Justus, McCombs, McCrary, Mercer, Oldham, Preston, Ramsey, Rogers, G. Wilson, and Yongue.

PUBLIC EMPLOYEES: Representative Culp, Chair; Representative Fitch, Ranking Minority Member; Representatives Barbee, Bowie, Brawley, Capps, Church, Easterling, Hiatt, Insko, Jarrell, Jeffus, Oldham, Sherrill, Starnes, and Thompson.

RULES, CALENDAR, AND OPERATIONS OF THE HOUSE: Representative Morgan, Chair; Representative Bowie, Vice Chair; Representative Crawford, Ranking Minority Member; Representatives Culp, Dockham, Esposito, Gulley, Hill, McMahan, Miner, Mitchell, Neely, Thompson, and C. Wilson.

STATE GOVERNMENT: Representative Weatherly, Chair; Representative Wright, Ranking Minority Member.

SUBCOMMITTEE ON MILITARY, VETERANS, AND INDIAN AFFAIRS: Representative Morris, Chair; Representative Womble, Ranking Minority Member; Representatives Adams, Beall, Brown, Buchanan, Davis, Hiatt, Hightower, Kinney, Sexton, and Sutton.

SUBCOMMITTEE ON STATE PARKS, FACILITIES, AND PROPERTY: Representative Gulley, Chair; Representative Fox, Ranking Minority Member; Representatives Baker, Carpenter, Hill, Ives, Nesbitt, Reynolds, and Wright.

TECHNOLOGY: Representative Reynolds, Chair; Representative Earle, Ranking Minority Member; Representatives Cansler, Clary, Dickson, Eddins, Gray, Gulley, Hackney, Hensley, Holmes, Miller, Shubert, Tolson, Wainwright, and Wilkins.

TRANSPORTATION: Representatives Buchanan and Sexton, Co-Chairs; Representative Church, Ranking Minority Member; Representatives Aldridge, Allred, Baker, Brawley, Brown, Carpenter, Clary, Cole, Crawford, Creech, Cunningham, Earle, Eddins, Ellis, Holmes, H. Hunter, Jarrell, Kinney, Luebke, McComas, McCombs, Mercer, Miner, Moore, Mosley, Nichols, Nye, Ramsey, Rayfield, Saunders, Sherrill, Smith, Starnes, Wainwright, and Watson.

UNC BOARD OF GOVERNORS: Representative Gray, Chair; Representative Alexander, Ranking Minority Member; Representatives

Aldridge, Barbee, Bonner, Clary, Culp, Dockham, Goodwin, Grady, Howard, and Mercer.

WAYS AND MEANS: Representative Allred, Chair; Representative Owens, Ranking Minority Member; Representatives Arnold, Baker, Black, Boyd-McIntyre, Brawley, Culpepper, Cunningham, Decker, Ellis, Hall, R. Hunter, Luebke, McComas, Miller, Sexton, Shubert, Starnes, and Thompson.

WELFARE REFORM: Representative Berry, Chair; Representative H. Hunter, Ranking Minority Member; Representatives Alexander, Bonner, Boyd-McIntyre, Capps, Clary, Creech, Earle, Esposito, Gardner, Hill, Howard, Jeffus, Mitchell, Moore, Morris, Nye, Redwine, Starnes, C. Wilson, and G. Wilson.

On motion of Representative Daughtry, seconded by Representative Miller, the House adjourns at 10:37 a.m. to reconvene Monday, February 10, 1997, at 8:00 p.m.

SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 10, 1997

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Esposito.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-2).

Leaves of absence are granted Representatives Blue, Church, Decker, and Russell for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Goodwin, Bonner, H. Hunter, Redwine, Sutton, and Yongue:

H.B. 73, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SHARE OF NONFEDERAL PAYMENTS FOR MEDICAL ASSISTANCE AND SOCIAL SERVICES FOR CERTAIN ECONOMICALLY DISADVANTAGED COUNTIES, is referred to the Committee on Human Resources.

By Representatives Cansler, Baker, Clary, H. Hunter, Sexton, and Shubert:

H.B. 74, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INDIVIDUAL INCOME TAX CREDIT FOR PREMIUMS PAID ON LONG-TERM CARE INSURANCE, is referred to the Committee on Insurance, Subcommittee on Health and, if favorable, to the Committee on Finance.

By Representatives Wilkins and Crawford:

H.B. 75, A BILL TO BE ENTITLED AN ACT CODIFYING THE METHOD OF ELECTING THE PERSON COUNTY BOARD OF EDUCATION AS ORDERED BY THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, is referred to the Committee on Local and Regional Government I.

By Representatives Wood, Aldridge, Allred, Davis, Eddins, Shubert, Sutton, and Yongue:

H.B. 76, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO ISSUE LOCAL TEACHING PERMITS, is referred to the Committee on Education.

By Representatives Howard, Brawley, Gardner, McCombs, Mitchell, and Watson:

H.B. 77, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO

DISSOLVE CERTAIN AREA MENTAL HEALTH AUTHORITIES, is referred to the Committee on Human Resources.

By Representatives Rogers, Black, Bonner, Grady, McMahan, Moore, Preston, Shubert, Sutton, and Yongue:

H.B. 78, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHO IS EXEMPT FROM THE PUBLIC SCHOOL ADMINISTRATOR EXAM, is referred to the Committee on Education.

By Representatives Rayfield, Aldridge, Capps, Clary, Davis, Gulley, Sexton, and Shubert:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO STATUTES CONCERNING BALLOT ACCESS FOR POLITICAL PARTIES, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Clary, Earle, Goodwin, H. Hunter, Miller, Moore, Mosley, Rayfield, Sexton, Shubert, Warner, Watson, and G. Wilson:

H.B. 80, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE ADULT DAY CARE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Clary, Aldridge, Baker, Cansler, Capps, Earle, Gulley, Miller, Rayfield, Sexton, Shubert, Warner, Watson, and G. Wilson:

H.B. 81, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, is referred to the Committee on Human Resources.

By Representatives Culpepper, Beall, Brown, Crawford, Culp, Decker, Dockham, Goodwin, Hall, McCrary, Mitchell, Moore, Mosley, Nye, Saunders, Smith, Warner, and Watson:

H.B. 82, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN EXPANSION OF RIGHTS UNDER EXISTING LAW PERTAINING TO GRANDPARENT VISITATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fitch, Adams, Alexander, Allred, Arnold, Baddour, Braswell, Cunningham, Earle, Fox, Hardaway, H. Hunter, Jarrell, Kinney, McAllister, McCrary, Michaux, Miller, Mosley, Oldham, Owens, Redwine, Sutton, Tolson, Wilkins, Womble, and Wright:

H.B. 83, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 84, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THREE OF THE MEMBERS ELECTED TO THE PINEHURST VILLAGE COUNCIL IN 1995 SHALL SERVE FOUR-YEAR TERMS, is referred to the Committee on Local and Regional Government I.

By Representatives Morgan, Culp, McComas, Redwine, Shubert, and Watson:

H.B. 85, A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, is referred to the Committee on Environment.

By Representatives Grady, Aldridge, Baker, Black, Capps, Dockham, Goodwin, McMahan, Moore, Morris, Mosley, Owens, Preston, Rogers, Sexton, Shubert, Smith, Sutton, Warner, Watson, and Wood:

H.B. 86, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO RECEIVE A REFUND ON SALES TAX PAID FOR ITEMS PURCHASED FROM THE CAPITAL OUTLAY FUND, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Preston, Aldridge, Black, Culp, Dockham, Grady, McMahan, Moore, Morris, Mosley, Rogers, Shubert, Smith, Warner, Watson, and Yongue:

H.B. 87, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS, is referred to the Committee on Education.

By Representatives Preston, Black, Culp, Dockham, Grady, McMahan, Moore, Mosley, Owens, Rogers, Shubert, Warner, and Watson:

H.B. 88, A BILL TO BE ENTITLED AN ACT TO GRANT SUBPOENA POWER TO THE STATE BOARD OF EDUCATION IN CASES INVOLVING THE SUSPENSION OR REVOCATION OF CERTIFICATES, is referred to the Committee on Education and, if favorable, to the Committee on Judiciary I.

By Representatives Preston, Black, Capps, Culp, Davis, Dockham, Grady, McMahan, Moore, Morris, Mosley, Owens, Rogers, Sexton, Shubert, Sutton, Warner, Watson, Wood, and Yongue:

H.B. 89, A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY BUILDING PRINCIPAL IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION OF PROBATION, AND TO PROVIDE FOR THE MAINTENANCE OF THE NOTIFICATIONS, is referred to the Committee on Education and, if favorable, to the Committee on Judiciary I.

ESCORT COMMITTEE ANNOUNCED

The Speaker appoints the following members as an Escort Committee for the Governor, pursuant to **S.J.R. 18,** A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES: Representatives Daughtry, Ramsey, Alexander, Wainwright, Morris, and Sherrill.

The Senate is so notified by Special Message.

INTRODUCTION OF PAGES

Pages for the week of February 10 are introduced to the membership. They are: Brian Allen of Wake; Gary Bowers of Davidson; Laura Naomi Cockrell of Iredell; Paul Joseph Curry of Wake; Jennie Grammer of Cumberland; DeAndra Green of Cumberland; Susan Leigh Hamilton of Harnett; Adam Durant Jones of Harnett; Vakisha Lynette Lail of Catawba; Alida Marie Parise of Iredell; Heather Nicole Parlato of Catawba;

Phillip Hamilton Sink of Davidson; David Benjamin Therit of Wake; Amanda F. Ward of Columbus; and Gabriel Matthew Woody of Mitchell.

On motion of Representative Morgan, seconded by Representative Redwine, the House adjourns at 8:13 p.m. to reconvene February 11 at 11:30 a.m.

EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 11, 1997

The House meets at 11:30 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-0).

Leaves of absence are granted Representatives Blue, Church, Ellis, and Hurley for today. Representative Allred is excused for a portion of the session.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Owens, Aldridge, Black, Bonner, Grady, McMahan, Preston, Rogers, Shubert, and Yongue:

H.B. 90, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR REDUNDANT SCHOOL LAWS, TO TRANSFER THE STATUTES THAT ESTABLISH THE STATE SCHOOLS FOR HEARING- AND SIGHT-IMPAIRED STUDENTS FROM CHAPTER 115C TO CHAPTER 143B OF THE GENERAL STATUTES, TO STREAMLINE THE REPORTS OF THE STATE BOARD OF EDUCATION TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT

COMMITTEE, AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Education.

By Representatives Cansler, Ives, Sherrill, and Shubert:

H.B. 91, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY THE NONBETTERMENT COSTS OF UTILITY RELOCATIONS FOR WATER AND SEWER LINES OWNED BY A SYSTEM CREATED PURSUANT TO ARTICLE 20 OF CHAPTER 160A OF THE GENERAL STATUTES, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Appropriations.

By Representatives Ellis, Allred, Cansler, Capps, Davis, Hardy, McComas, Sexton, Sherrill, and Starnes:

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL MUNICIPAL SERVICES TO BE PROVIDED TO A NEWLY ANNEXED AREA ON THE DATE OF ANNEXATION, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary II.

By Representatives Ellis, Allred, Cansler, Capps, Davis, Hardy, Rayfield, Sexton, Sherrill, Shubert, and Starnes:

H.B. 93, A BILL TO BE ENTITLED AN ACT TO REQUIRE AT LEAST TWO REPRESENTATIVES FROM A MUNICIPALITY'S EX-TRATERRITORIAL PLANNING AND ZONING JURISDICTION ON THE PLANNING AGENCY, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary II.

By Representatives Ellis, Allred, Cansler, Capps, Davis, Hardy, McComas, Rayfield, Sexton, Sherrill, Shubert, and Starnes:

H.B. 94, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ANNEXATION LAWS, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary II.

By Representatives Ives, Aldridge, Alexander, Allred, Bonner, Cansler, Capps, Davis, Easterling, Hall, McComas, Mitchell, Morris, Mosley, Rayfield, Sexton, Sherrill, Shubert, Smith, and Yongue:

H.B. 95, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A THREE-YEAR CYCLE FOR BUILDING CODE AMENDMENTS BEGINNING IN 1999 AND TO MAKE RELATED CHANGES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THE STATE BUILDING CODE, is referred to the Committee on State Government and, if favorable, to the Committee on Commerce, Subcommittee on Business and Labor.

By Representatives Dickson, Culp, Mitchell, Rayfield, Smith, and Yongue:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR MEDICINE USED ON LIVESTOCK AND POULTRY TO INCLUDE VETERINARY SUPPLIES, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Dickson and Rayfield:

H.B. 97, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Pensions and Retirement.

By Representative Hill:

H.B. 98, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CEMETERY COMMISSION AND THE REGULATION OF CEMETERIES IN THIS STATE AND TO APPROPRIATE FUNDS FOR THE STUDY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 99, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representative H. Hunter and Rogers:

H.B. 100, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF MEMBERS OF THE HERTFORD COUNTY BOARD OF EDUCATION IN NOVEMBER OF EVEN-NUMBERED YEARS, is referred to the Committee on Local and Regional Government I.

By Representative Baker:

H.B. 101, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Buchanan:

H.B. 102, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THERE BE AT LEAST ONE VOTING PLACE IN MITCHELL COUNTY WITHIN EVERY TOWNSHIP THAT EXISTED IN 1995, is referred to the Committee on Judiciary I.

By Representative Buchanan:

H.B. 103, A BILL TO BE ENTITLED AN ACT TO DESIGNATE NINETEEN PRECINCTS IN AVERY COUNTY, is referred to the Committee on Judiciary I.

By Representative Brawley:

H.B. 104, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION AND RENOVATION OF THE MOORESVILLE PUBLIC LIBRARY, is referred to the Committee on Appropriations.

By Representatives Beall, Carpenter, and Ramsey:

H.B. 105, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
February 11, 1997

Mr. Speaker:

Pursuant to **S.J.R. 18,** A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the President Pro Tempore appoints as a committee on the part of the Senate to escort the Governor to the Joint Session in the Hall of the House of Representatives on Tuesday, February 11, 1997, at 12:00 Noon.

Senator Soles, Chairman
Senator Conder
Senator Ballance
Senator Winner
Senator Shaw of Guilford
Senator Page

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
February 11, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that pursuant to **S.J.R. 18,** A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Dennis A. Wicker, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Governor's Cabinet who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Judge and the Judges of the Court of Appeals who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Justice and the Associate Justices of the Supreme Court who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State who are seated in a body for the Joint Session.

The Speaker extends the courtesies of the gallery to Mrs. Carolyn Hunt, First Lady of North Carolina and courtesies of the floor to the members of the Governor's Cabinet, the Chief Judge and Judges of the Court of Appeals, the Council of State, and the Chief Justice and the Associate Justices of the Supreme Court.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House announces the approach of the Governor. His Excellency enters, escorted by Senators Soles, Conder, Ballance, Winner, Shaw of Guilford, and Page; and Representatives Daughtry, Ramsey, Alexander, Morris, Wainwright, and Sherrill.

The President recognizes Senator Soles, who presents his Excellency, James B. Hunt, Jr., Governor of North Carolina, to the Joint Assembly.

STATE OF THE STATE ADDRESS

A Challenge to North Carolina: A New Commitment to Education

"Mr. President, Mr. Speaker, Mr. President Pro Tem, members of the General Assembly, distinguished guests, my fellow North Carolinians.....

"We meet today with a common purpose and a common resolve -- to put education first.

"This commitment is far more important than party or politics. It is a commitment that will determine our future.

"Our challenge is to act on that commitment in this session -- starting today.

"Nothing else we do will be as important. Nothing.

"So I come here today to ask you to dedicate this legislative session to the cause of public education. I stand ready to work with you to make this the most important education session in North Carolina's history. Let's join in that commitment today.

"Let me say first of all, that I have no patience with those who say that our schools are broken and cannot be fixed.

"They are wrong.

"Even some in this chamber today, may not believe that North Carolina can have truly excellent schools.

"They are wrong.

"Let me be clear on why the public schools exist. They do not exist for public officials. They do not exist for ideologues. They do not exist for parents or teachers or principals.

"They exist for our children. To educate them and prepare them for a changing and competitive world.

"And the schools are doing a better job than their critics admit. Last month, a national report ranked North Carolina's schools among the top twelve in the nation. It gave us high marks for setting academic standards, assessing student performance and providing equitable resources.

"In short, North Carolina's schools are not 48th. Let's give our schools the credit they deserve!

"But that report did offer a valid criticism. Too often, our zeal and our good intentions have led us in too many different directions. Adopting too many reforms that confuse teachers and complicate the job of educating children.

"This year, let's get focused. Let's concentrate on two things that are the most important in our children's education. And let's stick with these two things, until the job is done.

"Here are the two things that I challenge North Carolinians to do over the next four years:

"Number 1, put Smart Start fully in place in all one hundred counties in our state.

"Number 2, raise education standards and raise teacher pay to at least the national average.

"Do these two things. Stick with them for four years. Make this commitment to our children's future and you'll see schools and our children compete with anybody, anywhere.

"Seated in the Gallery today with Mrs. Hunt and Dr. Jay Robinson are some of North Carolina's teachers. Next to being a parent, they have the most important job in North Carolina. I would like to ask those teachers to stand up and ask you to join me in paying tribute to them and to our teachers in the state.

"Teachers have difficult and demanding jobs and you recognize that in your applause. They work long hours every day. They grade papers at night. They stay late for parent conferences. And, they worry endlessly about our children.

"But do you know what the state pays a beginning public school teacher today? Just $21,330 a year. And the top salary -- for the most experienced and most qualified teacher, who has taught for thirty years -- is less than $43,000. That is wrong!

"Is it any wonder that 30 percent of our teachers leave in the first three years?

"Just last week, I got a letter from concerned parents at Root Elementary School here in Raleigh signed by a whole two pages of parents. One of their favorite teachers, Kathleen Hagerty, has left to take a job at almost double her current salary. She left because she didn't earn enough to pay her living expenses and pay back the money she borrowed to get a masters' degree.

"Those parents wrote me this letter. They said, 'we are all extremely disappointed. Her leaving is a great loss to our school.'

"Folks, North Carolina's teachers deserve better. First of all, they deserve greater respect. They deserve greater support from parents, students and all of us. And they deserve better pay.

"So I am proposing that by the year 2000, we raise the starting salary for teachers to $25,000 dollars a year. And I am proposing that we raise the pay for our best and most experienced teachers to at least $53,000 a year.

"If we do this, we will attract the best teachers, we will keep them in our classrooms, and we will take a giant step toward giving our children the education they deserve. Let's make this commitment and take this step forward this year.

"Now, let me be clear about this -- I am not talking about simply raising pay across the board without regard to experience and qualifications.

"First and foremost, I am talking about paying better teachers for better performance. Paying a bonus of up to $1,000 when their students learn

more under the ABC plan. A 12 percent bonus for earning national-board certification. A 10 percent bonus for earning a masters' degree.

"I am talking about raising academic standards, holding students and schools accountable for their progress, and making sure that students learn the basics and the skills that they will need to get a good job.

"I am talking about paying teachers more for extra work, like starting the school year early, mentoring new teachers, helping students who are behind.

"I am talking about increasing starting salaries by nearly 20 percent so that we can attract more bright young people into the profession.

"I am talking about making sure these new teachers are better trained and get a full year of experience in the classroom before they even start teaching.

"I am talking about extra pay raises in years when they pass tougher evaluations and meet higher standards -- such as when they first earn their license, earn their continuing license and earn tenure.

"I am talking about making it harder to earn tenure and easier to get bad teachers out of the classroom. Some people say that bad teachers shouldn't get a pay raise. I agree. They should get a pink slip.

"What I am talking about is a pay raise for all teachers and higher pay raises for teachers who meet higher standards. It's the least we can do for the most important and hardest working people in our state.

"Now, some people say we can't afford this step forward. But the cost of reaching the national average is just 2 percent of the total state budget over the next four years. Just 2 percent.

"Surely we can afford that.

"Surely we can afford to pay our teachers a decent wage. A wage that shows we value all they do. That helps us attract and keep the best and the brightest in our classrooms.

"Surely we should require that every school and every school system be run in a way that best serves its students, parents, teachers, and taxpayers. That means we should send in special audit teams to review the

performance of schools and school systems and help bring about changes when they are needed.

"Legislation to accomplish this goal will be introduced shortly in both the House and the Senate. It will put into action our plan for excellent teaching -- as well as higher standards, workforce training and technology. It will be called the Excellent Schools Act.

"I urge you to pass it this year.

"I urge you to pass it, so we can recruit and retain the very best teachers for our children.

"I urge you to pass it and enable our public schools to take this big step forward in these four years.

"Higher standards and better teachers, that's number one. Let's talk now about the other big step that we need to take.

"It's really the first step in the life of a child.

"It's one where North Carolina is already leading the nation. It's one that can have the greatest impact on our children and their future. It's Smart Start.

"We're not just talking about budgets and programs here. We are literally talking about children's brains, and how quickly they develop and grow.

"Time magazine last month devoted nearly an entire issue to this subject. Last week the nation's governors in their meeting in Washington devoted much of their conference to this very subject. Democratic and Republican alike, governors across this country are focusing on it.

"This is coming from new scientific research and discoveries.

"Scientists have found that the brain grows faster and develops more fully when a child is held and talked to and hugged and loved. They have found that eighty-five percent of the brain develops in the first three years. Eighty-five percent.

"That's why children with good parents get a good start. That's why good day care is so important. That's why children who are neglected and abused are hurt for life.

"Now some of you have heard me talk about little children's brains for four years now. You may be getting tired of it. But now I've got science on my side.

"My wife up there in the gallery has known it for a long time, and she just wants to know why its taken me forty years, four children and six grandchildren to figure it out.

"Now we can't guarantee every child a good family. And we can't set up a new public school system for children under 5.

"What we can do in state government is be a catalyst for children.

"What we can do is get state and local governments working together. Churches and businesses and community groups and health care providers all working together to meet the needs of children. To meet the needs of children -- in your community and mine.

"What we can do is put more public and private resources into those critical early years. And that's what Smart Start does.

"In Mecklenburg County, Smart Start has helped child care centers double the number of children they serve.

"In Lenoir County, the partnership is helping children who are not ready yet for kindergarten. Teaching them basic language and thinking and physical skills. Helping them catch up and enter school ready to learn.

"In Stanly County, they are doing something very interesting. Smart Start is helping parents become their child's first teacher by providing a little extra money to help one parent stay at home during their child's first year.

"This is the kind of thing Smart Start is doing today in 43 counties. And this is why we need it fully in place in all one hundred counties by the year 2000. I ask you to make that commitment this year so our children will get the good start that every child in North Carolina deserves.

"Now, certainly we have many other responsibilities to meet in this session.

"We have a responsibility to see that our schools and our communities are safe from crime, from drugs and violence. We must continue to crack down on school discipline. We must devise a more effective way of dealing with juvenile crime. We must continue to lock up dangerous criminals and require them to work hard in prison. And we should act on the recommendations of John Medlin's Commission on the Future of the Courts -- to make sure that our courts are up to the challenge of the 21st Century.

"We have a responsibility to keep our universities and our community colleges among the very best in the nation, with competitive faculties and facilities.

"We have a responsibility to keep North Carolina ahead of the nation in attracting new jobs and new businesses. In the last session you passed tax cuts and incentives that are working. Now we need to train workers for new and expanding businesses. And we should expand JobReady, our school-to-work initiative, statewide.

"We must demand personal and parental responsibility. We must keep moving people from welfare to work and keep demanding that parents pay their child support.

"We must help our people find good, affordable health care. We should help children get a healthy start. And we should expand and improve in-home care for the elderly in our state.

"We must keep our roads safe from drunk drivers. Lieutenant Governor Wicker is giving strong leadership in this area that has saved lives and I urge action on his recommendations.

"We must keep teenagers from smoking. Attorney General Easley is leading the fight to keep cigarettes out of the hands of minors and we should pass his initiative.

"We must keep our environment clean. Last year you set up the Clean Water Trust Fund. We passed tougher animal waste regulations. This year we should go further. We should clean up our rivers, protect our drinking water and preserve our marine fisheries for commercial and recreational

use. And I want to tell you that I will get the Division of Marine Fisheries straightened out immediately.

"And we have a responsibility to do these things without raising taxes. We cut a billion dollars in taxes over the last four years. We've saved taxpayers money and given them better value for their tax dollars.

"We have shown folks what we can do when we put our state's future ahead of narrow political interests.

"Now we face an historic challenge.

"Last month, in my Inaugural Address, I called for a new commitment to public education. Today, I call for action.

"It's going to take both branches of government and it's going to take both parties. It's going to take all of us working together.

"Last year both parties worked together to pass the $1.8 billion school bond. And voters passed it overwhelmingly with bipartisan support.

"Last month Speaker Brubaker and Senator Basnight both spoke of the need to focus on education during this session. I'm proud to say today that both of them have agreed to sponsor the Excellent Schools Act. This is a remarkable and dramatic display for the sake of our children and I want to thank both of them for that.

"Now folks, we can meet this education challenge.

"We can meet it as North Carolinians have met challenges before.

"As this Legislature did at the beginning of the 20th Century, when it created the public school system. Back then we had only a few local schools here and there around the state. Many of them were log cabins with dirt floors. Only a third of school-aged children were even attending school. And some of those schools met only twenty days a year.

"Governor Charles Brantley Aycock challenged the General Assembly to change that -- to give every child the opportunity to learn. Our state was poor, but the Legislature responded.

"In one year that Legislature doubled its annual appropriation for public schools. They started building eight hundred schoolhouses to make public education available all across North Carolina.

"That Legislature met the challenge nearly one hundred years ago.

"Just as the Legislature did during the Depression. In those days, schools all over the country were closing. Our Legislature said we are not going to let our schools close and they took over most of the financial responsibility for education and kept North Carolina's schools open.

"And the Legislature met the challenge in the early 1960's. Our teachers were going to Virginia. I remember it well. But this Legislature met the challenge when it committed North Carolina not only to universal education, but also to quality education.

"Now we have a new challenge for a new century. A challenge to provide our children with an excellent education and a Smart Start.

"And in the next century, our successors and our grandchildren will measure what we did here by two questions.

"Did we help children get a good start in life?

"Did we give our children excellent teachers and excellent schools?

"Only you in this Legislature can provide the answer. Only you in this Legislature can make it happen.

"I look forward to joining with you as this Legislature meets the challenge, makes history and leads North Carolina into the 21st Century.

"Thank you. And God bless you."

Upon completion of his address, the Governor, joined by the Escort Committee, leaves the Hall of the House.

On motion of Senator Basnight, the Joint Session is dissolved and the Senate stands adjourned.

The House resumes its business.

On motion of Representative Morgan, seconded by Representative Bowie, the House adjourns at 12:51 p.m. to reconvene February 12 at 1:00 p.m.

NINTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 12, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Goodwin.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (110-0).

Leaves of absence are granted Representatives Blue, Culpepper, and Hurley for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 34, A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF CATAWBA, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Miner for the Committee on Commerce:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CREATE A LEGISLATIVE COMMISSION ON JOB TRAINING PROGRAMS TO REORGANIZE THE WORKFORCE DEVELOPMENT SYSTEM IN NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Neely for the Committee on Judiciary II:

H.B. 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM RAFFLE CASH PRIZES AND THE FAIR MARKET VALUE OF RAFFLE MERCHANDISE PRIZES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Neely, Blue, Cansler, Capps, Church, and Shubert:

H.B. 106, A BILL TO BE ENTITLED AN ACT TO ENHANCE COMPLIANCE AND ENFORCEMENT OF EXISTING TAX LAWS BY APPROPRIATING FUNDS TO EXPAND THE NUMBER OF AUDITORS AND SUPPORT PERSONNEL IN THE INTERSTATE AUDIT DIVISION OF THE DEPARTMENT OF REVENUE, AND TO PROVIDE THAT PERSONNEL WHO ADMINISTER THE INSURANCE GROSS PREMIUMS TAX SHALL CONTINUE TO BE FUNDED FROM THE INSURANCE REGULATORY CHARGE, is referred to the Committee on Finance.

By Representatives Hiatt, Easterling, Hensley, Moore, Morris, Mosley, Nye, Preston, Rayfield, Rogers, Shubert, Thompson, and Warner:

H.J.R. 107, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF THE GUARDIAN AD LITEM PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle, Alexander, Baddour, Bonner, Boyd-McIntyre, Braswell, Clary, Cunningham, Easterling, Goodwin, H. Hunter, Jeffus, Kinney, Luebke, McAllister, McMahan, Moore, Mosley, Rogers, Russell, Saunders, Shubert, Smith, Sutton, Wainwright, Warner, G. Wilson, and Wright:

H.B. 108, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ALZHEIMER'S ASSOCIATIONS, is referred to the Committee on Appropriations.

By Representatives Earle, Alexander, Baddour, Bonner, Boyd-McIntyre, Braswell, Clary, Cunningham, Easterling, H. Hunter, Jeffus, Kinney, Luebke, McAllister, McMahan, Moore, Mosley, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Sutton, Wainwright, Warner, Wilkins, G. Wilson, and Wright:

H.B. 109, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING FOR IN-HOME AIDE SERVICES AND CAREGIVER SUPPORT SERVICES, is referred to the Committee on Appropriations.

By Representatives Earle, Alexander, Bonner, Braswell, Clary, Cunningham, Easterling, Goodwin, H. Hunter, Kinney, Luebke, McAllister, McMahan, Moore, Mosley, Rogers, Russell, Saunders, Shubert, Sutton, Wainwright, Warner, G. Wilson, and Wright:

H.B. 110, A BILL TO BE ENTITLED AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

By Representatives Brown, Aldridge, Baddour, Barbee, Beall, Bonner, Buchanan, Capps, Carpenter, Church, Culp, Culpepper, Hightower, R. Hunter, Morris, Nesbitt, Shubert, Sutton, Wainwright, Wilkins, G. Wilson, and Yongue:

H.B. 111, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF FOREST FIRE AIRCRAFT, is referred to the Committee on Appropriations.

By Representative Owens:

H.B. 112, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFETY ZONE AROUND PUBLIC AND PRIVATE SCHOOLS IN CAMDEN COUNTY BY PROHIBITING HUNTING OR THE DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY OF PUBLIC ROADS WITHIN ONE-HALF MILE OF A SCHOOL, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary I.

By Representative Owens:

H.B. 113, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE, is referred to the Committee on Education.

By Representative Culpepper:

H.B. 114, A BILL TO BE ENTITLED AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Culpepper, Sutton, and Yongue:

H.B. 115, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Arnold, Fitch, and Tolson:

H.B. 116, A BILL TO BE ENTITLED AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary I.

By Representatives Buchanan, McAllister, and Reynolds:

H.B. 117, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH

COMMISSION ENERGY CONSERVATION COMMITTEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Smith and Preston:

H.B. 118, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE WITHIN THE CANALS AND WATERWAYS OF THE EIGHT AND ONE-HALF MARINA CONDOMINIUMS IN THE TOWN OF ATLANTIC BEACH, is referred to the Committee on Local and Regional Government I.

By Representatives Smith, Dedmon, Goodwin, Moore, Mosley, Owens, Preston, and Wainwright:

H.B. 119, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO REMOVE THE SUNSET ON THE STATE PORTS TAX CREDIT AND TO RAISE THE MAXIMUM CUMULATIVE CREDIT TO FIVE MILLION DOLLARS, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representatives Davis and Hall:

H.B. 120, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF CAROLINA TRACE, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary I.

By Representatives Hall and Wainwright:

H.B. 121, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CREATION OF A TEXTILE MUSEUM IN THE TOWN OF ERWIN IN HARNETT COUNTY, is referred to the Committee on Appropriations.

By Representatives Kiser, Barbee, Bonner, Bowie, Cansler, Carpenter, Clary, Crawford, Culp, Esposito, Goodwin, Gulley, Hardy, Justus, McComas, McCombs, McMahan, Mitchell, Nichols, Rayfield, Reynolds, Saunders, Sexton, Starnes, Thompson, Watson, and G. Wilson:

H.B. 122, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN

THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS, is referred to the Committee on State Government.

By Representatives Decker, Capps, Starnes, and Wood:

H.B. 123, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE STATE SALES TAX ON FOOD, is referred to the Committee on Finance.

By Representatives Decker, Allred, Capps, Rayfield, Sexton, Starnes, and Wood:

H.B. 124, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1959 ANNEXATION LAW BY REQUIRING A REFERENDUM ON ANNEXATION ON PETITION OF THE RESIDENTS BEING ANNEXED, AND TO ALLOW THE CITY TO PROVIDE FOR A REFERENDUM ON ANNEXATION, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Decker, Allred, Capps, Starnes, and Wood:

H.B. 125, A BILL TO BE ENTITLED AN ACT TO ROLL BACK THE VARIABLE RATE GAS TAX TO THE 1989 LEVEL, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 1,** A BILL TO BE ENTITLED AN ACT TO REFORM THE CAMPAIGN LAWS OF NORTH CAROLINA, is read the first time and referred to the Committee on Election Law and Campaign Reform.

Committee Substitute for **S.B. 27,** A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES IN THE CONFORMING LEGISLATION CONCERNING GUBERNATORIAL VETO, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Goodwin, the House adjourns at 1:21 p.m. to reconvene February 13 at 1:00 p.m.

TENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 13, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Womble.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brawley, Buchanan, Culp, Grady, R. Hunter, Hurley, Mosley, and Preston for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Daughtry, Allred, Beall, Bowie, Capps, Davis, Dedmon, Easterling, Hall, Insko, Miller, Moore, Morris, Mosley, Sexton, Shubert, Smith, Thompson, and Yongue:

H.B. 126, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representatives Thompson, Buchanan, Cansler, Easterling, Hensley, Insko, Justus, Kiser, Russell, Sherrill, Smith, and Yongue:

H.B. 127, A BILL TO BE ENTITLED AN ACT TO INCREASE THE RATES OF REIMBURSEMENT FOR LODGING AND MILEAGE EXPENSES INCURRED BY STATE OFFICERS AND EMPLOYEES IN CONNECTION WITH TRAVEL ON OFFICIAL BUSINESS, is referred to the Committee on Public Employees and, if favorable, to the Committee on Appropriations.

By Representatives Thompson, Buchanan, Capps, Creech, Davis, Esposito, Holmes, Justus, and Kiser:

H.B. 128, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE STATE CAPITOL POLICE TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Thompson, Buchanan, Creech, Esposito, Justus, and Kiser:

H.B. 129, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOTOR VEHICLE ENFORCEMENT DIVISION OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, TO TRANSFER THE DUTIES OF THE ENFORCEMENT SECTION OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO THE MOTOR VEHICLE ENFORCEMENT DIVISION, AND TO GRANT THE ENFORCEMENT OFFICERS OF THE MOTOR VEHICLE ENFORCEMENT DIVISION THE AUTHORITY TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT AGENCY HAS REQUESTED THEIR ASSISTANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nichols, Hardy, Shubert, and Starnes:

H.B. 130, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY MAY NOT ACCEPT STATE EMPLOYMENT OR OFFICE COMMENCING DURING THEIR TERM OF OFFICE, is referred to the Committee on Ways and Means.

By Representatives Justus, Arnold, Bonner, Bowie, Cansler, Carpenter, Clary, Crawford, Creech, Dockham, Esposito, Fox, Gardner, Holmes, Ives,

Kiser, McCombs, McMahan, Morris, Nichols, Russell, Sexton, Sherrill, Shubert, Sutton, Thompson, Wainwright, Watson, and G. Wilson:

H.B. 131, A BILL TO BE ENTITLED AN ACT TO EXTEND THE ACTIVITIES OF THE HEART DISEASE AND STROKE PREVENTION TASK FORCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Beall, Ramsey, and Wainwright:

H.B. 132, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA, is referred to the Committee on Appropriations.

By Representative Smith:

H.B. 133, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE DIVISION OF MARINE FISHERIES FROM THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representatives Culpepper and Starnes:

H.B. 134, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED ARTICLE 8 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO TWO SECTIONS OF THE GENERAL STATUTES IN NEED OF PROMPT CORRECTIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Weatherly, Arnold, Baker, Brown, Cansler, Davis, McCombs, Mitchell, Preston, Rayfield, and Shubert:

H.B. 136, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEOCASSETTE TAPE, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives Brawley, Shubert, and Smith:

H.B. 137, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO ADD TO THE LIST OF AGGRAVATING FACTORS THAT CERTAIN PEOPLE WERE SERIOUSLY INJURED AS A RESULT OF THE OFFENSE, is referred to the Committee on Judiciary II.

By Representatives Justus, Brawley, Brown, Buchanan, Cansler, Clary, Culp, Fox, Hiatt, Kiser, Mitchell, Russell, Thompson, Watson and G. Wilson:

H.B. 138, A BILL TO BE ENTITLED AN ACT GRANTING ENFORCEMENT OFFICERS OF THE DIVISION OF MOTOR VEHICLES THE AUTHORITY TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT AGENCY HAS REQUESTED THEIR ASSISTANCE, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Justus, Arnold, Baker, Bowie, Boyd-McIntyre, Cansler, Carpenter, Clary, Crawford, Creech, Dockham, Esposito, Fox, Gardner, Hall, Holmes, Ives, Kiser, McCombs, McMahan, Mitchell, Morris, Mosley, Nichols, Russell, Sherrill, Thompson, Watson, and G. Wilson:

H.B. 139, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEX OFFENDER REGISTRATION LAW TO CLARIFY THAT PERSONS CONVICTED OF SEX OFFENSES IN FEDERAL COURT ARE REQUIRED TO REGISTER, is referred to the Committee on Judiciary I.

By Representatives Justus, Allred, Bowie, Brown, Buchanan, Culp, Esposito, Fox, Gardner, Hall, Hiatt, Hill, Holmes, Howard, Ives, Kiser,

McComas, McCombs, McMahan, Miner, Mitchell, Russell, Thompson, Watson, and Wilkins:

H.B. 140, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus, Allred, Baddour, Bowie, Capps, Davis, Starnes, and Thompson:

H.B. 141, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN EMBEZZLEMENT OFFENSES, is referred to the Committee on Judiciary I.

By Representatives Justus, Baddour, Bowie, Capps, Davis, and Thompson:

H.B. 142, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO RECLASSIFY THE OFFENSE OF ACCESSORY AFTER THE FACT, is referred to the Committee on Judiciary I.

By Representatives G. Wilson, Adams, Alexander, Boyd-McIntyre, Brown, Earle, Easterling, Mosley, Rayfield, and Watson:

H.B. 143, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ANNUAL AUDITED REPORTS ARE TO BE SUBMITTED BY ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES, is referred to the Committee on Human Resources.

By Representatives Justus, Baddour, Bowie, Capps, Davis, and Sexton:

H.B. 144, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION THAT THE OFFENSE OF VOLUNTARY MANSLAUGHTER BE INCREASED FROM A CLASS E FELONY TO A CLASS D FELONY, is referred to the Committee on Judiciary I.

By Representatives Nichols, Allred, Creech, Culp, Mercer, Mitchell, Mosley, Redwine, Shubert, Smith, Wainwright, and Yongue:

H.B. 145, A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, is referred to the Committee on Human Resources.

By Representatives Grady, Preston, Smith, and Watson:

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO REQUIRE SIDEWALK IMPROVEMENTS THROUGH THE SITE PLAN REVIEW PROCESS UNDER THE AUTHORITY OF THE CITY ZONING ORDINANCE, is referred to the Committee on Local and Regional Government I.

By Representatives Weatherly, Adams, Aldridge, Allred, Barbee, Boyd-McIntyre, Brawley, Brown, Clary, Culp, Decker, Dickson, Eddins, Gray, Gulley, Hardy, Hensley, Insko, Kiser, McComas, Rayfield, Shubert, Starnes, Sutton, G. Wilson, and Yongue:

H.B. 147, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF DOG FIGHTING AND BAITING, is referred to the Committee on Judiciary II.

By Representatives Shubert, Aldridge, Allred, Blue, Cansler, Capps, Church, Clary, Culp, Eddins, McComas, Morris, Neely, Rayfield, Reynolds, C. Wilson, and G. Wilson:

H.B. 148, A BILL TO BE ENTITLED AN ACT TO PROVIDE AUTOMATIC ANNUAL INCOME TAX REDUCTIONS AND TAX SIMPLICITY BY INDEXING THE STATE'S PERSONAL EXEMPTION AMOUNTS TO THE FEDERAL PERSONAL EXEMPTION AMOUNTS, is referred to the Committee on Finance.

By Representatives Shubert, Aldridge, Allred, Blue, Cansler, Capps, Church, Clary, Culp, Eddins, Neely, Reynolds, and G. Wilson:

H.B. 149, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO ACCOUNT FOR 911 SURCHARGES IN

THEIR ANNUAL FINANCIAL STATEMENTS, is referred to the Committee on Finance.

By Representatives Easterling, Adams, Alexander, Boyd-McIntyre, Clary, Cunningham, Dickson, Hackney, Hensley, Luebke, McCrary, Moore, Mosley, Nye, Smith, Wright, and Yongue:

H.B. 150, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PYROTECHNICS IN NORTH CAROLINA, is referred to the Committee on Judiciary I.

By Representatives Easterling, Adams, Alexander, Baddour, Clary, Cunningham, Dickson, H. Hunter, Insko, McCrary, Moore, Morris, Mosley, Nye, Smith, Wainwright, Warner, Wright, and Yongue:

H.B. 151, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO BROADEN THE ACCESS TO CONFIDENTIAL RECORDS FOR THE PURPOSES OF CHILD FATALITY REVIEW AND PREVENTION, is referred to the Committee on Human Resources.

By Representatives Easterling, Adams, Alexander, Baddour, Clary, Cunningham, Goodwin, H. Hunter, Insko, Jarrell, Moore, Morris, Mosley, Nye, Smith, Wainwright, Warner, Wright, and Yongue:

H.B. 152, A BILL TO BE ENTITLED AN ACT TO IMPOSE A CRIMINAL PENALTY FOR THE WILLFUL FAILURE TO REPORT CHILD ABUSE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

By Representatives Easterling, Adams, Baddour, Clary, Cunningham, Dickson, H. Hunter, Insko, Jarrell, Jeffus, McCrary, Moore, Mosley, Nye, Smith, Wainwright, Warner, Watson, and Wright:

H.B. 153, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE", is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

By Representatives Easterling, Adams, Alexander, Baddour, Clary, Cunningham, Dickson, Hackney, Hensley, H. Hunter, Jarrell, Jeffus,

Luebke, McCrary, Morris, Mosley, Nye, Smith, Wainwright, Warner, Wright, and Yongue:

H.B. 154, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MATERNAL OUTREACH PROGRAM, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is referred to the Committee on Appropriations.

By Representatives Easterling, Adams, Alexander, Boyd-McIntyre, Cunningham, Dickson, Hensley, H. Hunter, Jeffus, Luebke, Miller, Moore, Mosley, Nye, Redwine, Sherrill, Smith, Wainwright, and Warner:

H.B. 155, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE GRASSROOTS SCIENCE MUSEUM COLLABORATIVE BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION, is referred to the Committee on Appropriations.

By Representatives Easterling, Adams, Boyd-McIntyre, Cunningham, Hackney, Hensley, Jarrell, Jeffus, Mosley, Nye, Smith, Wainwright, Warner, and Watson:

H.B. 156, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPENSATE PHYSICIANS FOR PERFORMING MEDICAL EVALUATIONS OF CHILDREN WHO ARE SUSPECTED OF HAVING BEEN ABUSED OR NEGLECTED, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is referred to the Committee on Appropriations.

By Representatives Warner, Boyd-McIntyre, Dedmon, Dockham, Easterling, Goodwin, Hensley, Luebke, McAllister, Moore, Mosley, Nichols, Oldham, Preston, Shubert, Wainwright, and Wright:

H.B. 157, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS ATTENDING COMMUNITY COLLEGES, is referred to the Committee on Education.

By Representatives Kiser, Allred, Baddour, Baker, Barbee, Brawley, Brown, Cansler, Capps, Carpenter, Clary, Culp, Davis, Dedmon, Gardner, Grady, Gulley, Hall, Hardy, Howard, Justus, Moore, Morris, Owens, Rayfield, Sexton, Starnes, and Thompson:

H.B. 158, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CERTAIN OFFENSES COMMITTED WHILE IN PRISON, is referred to the Committee on Judiciary II.

By Representatives Kiser, Baddour, Baker, Barbee, Brawley, Brown, Cansler, Capps, Carpenter, Clary, Culp, Davis, Dedmon, Gardner, Goodwin, Grady, Gulley, Hall, Hardy, Howard, Justus, Moore, Morris, Owens, Rayfield, Sexton, Starnes, and Thompson:

H.B. 159, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY CERTAIN OFFENSES RELATED TO ESCAPE FROM CORRECTIONAL FACILITIES, is referred to the Committee on Judiciary II.

By Representatives McComas, Capps, Davis, and Smith:

H.B. 160, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS, is referred to the Committee on State Government.

By Representatives Crawford and Boyd-McIntyre:

H.B. 161, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OPERATION OF THE MODEL TEACHER EDUCATION CONSORTIUM, is referred to the Committee on Appropriations.

By Representatives Crawford, Aldridge, Capps, Davis, Sexton, and Watson:

H.B. 162, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO INCREASE THE CRIMINAL PENALTY FOR THE SALE OF CERTAIN CONTROLLED SUBSTANCES, is referred to the Committee on Judiciary I.

By Representative Cole:

H.J.R. 163, A JOINT RESOLUTION AUTHORIZING A STUDY BY THE LEGISLATIVE RESEARCH COMMISSION OF THE

PROCESS AND REQUIREMENTS FOR INCORPORATION OF NEW MUNICIPALITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Redwine, Goodwin, McComas, and Smith:

H.B. 164, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO EXEMPT THE STATE PORTS AUTHORITY FROM STATE PURCHASE AND CONTRACT REQUIREMENTS, is referred to the Committee on State Government.

By Representatives Redwine, Creech, Mercer, Mitchell, Nichols, Smith, and Wainwright:

H.B. 165, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, is referred to the Committee on Insurance.

By Representatives Aldridge, Bonner, Sexton, and Sutton:

H.B. 166, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND FUND PHYSICAL FITNESS PROGRAMS AS RECOMMENDED BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE, is referred to the Committee on Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Aldridge, Bonner, Sexton, and Sutton:

H.B. 167, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE ESTABLISHMENT OF A CARDIOVASCULAR DISEASE HEALTH OUTCOME DATA UNIT, AS RECOMMENDED BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE, is referred to the Committee on Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Aldridge, Capps, Davis, Hardy, Morris, Shubert, Starnes, and Watson:

H.B. 168, A BILL TO BE ENTITLED AN ACT TO SHIFT RESPONSIBILITY FOR ASSISTANCE TO THE ECONOMICALLY

DISADVANTAGED FROM GOVERNMENT TO PRIVATE CHARITY BY ALLOWING A TAX CREDIT FOR CERTAIN CHARITABLE CONTRIBUTIONS TO ORGANIZATIONS DEDICATED TO HELPING THE POOR, is referred to the Committee on Welfare Reform and, if favorable, to the Committee on Finance.

By Representatives Justus, Aldridge, Baddour, Baker, Bowie, Kiser, Redwine, and Thompson:

H.B. 169, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO CONTINUE THE COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Berry, Aldridge, Arnold, Baker, Bowie, Buchanan, Clary, Culp, Davis, Dockham, Esposito, Goodwin, Hall, Hardy, Howard, Kiser, Morris, Preston, Rayfield, Sexton, Starnes, Warner, and G. Wilson:

H.B. 170, A BILL TO BE ENTITLED AN ACT TO EXEMPT FUNERAL EXPENSES FROM SALES TAX, is referred to the Committee on Finance.

By Representatives Earle, Adams, Beall, Boyd-McIntyre, Clary, Ives, Jeffus, Kiser, Luebke, McAllister, Moore, Mosley, Nye, Redwine, Saunders, Sexton, Shubert, Sutton, Wainwright, Warwick, Watson, and Womble:

H.B. 171, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO CONTINUE THE STRIKE OUT STROKE PROJECT IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE, is referred to the Committee on Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Gray, Aldridge, Alexander, Barbee, Bonner, Clary, Culp, Davis, Dockham, Goodwin, Grady, Howard, Mercer, and Shubert:

H.R. 172, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

ADDENDA TO COMMITTEE ASSIGNMENTS
February 13, 1997

The Speaker makes the following committee assignments:

APPROPRIATIONS:
Subcommittee on Capital and Budget, remove Representatives Hightower and Nichols, add Representative Insko.

CONGRESSIONAL REDISTRICTING: Remove Representative Michaux, add Representative Fitch.

EDUCATION:
Subcommittee on Community Colleges, add Representative Eddins.

ELECTION LAW AND CAMPAIGN REFORM: Add Representative Church, remove Representative Redwine.

FINANCE: Remove Representative Insko, add Representatives Nichols and Hightower.

HUMAN RESOURCES: Remove Representative Moore.

INSURANCE:
Subcommittee on Health, add Representatives Michaux, Bowie, Russell, and Esposito.

JUDICIARY I: Add Representatives Alexander and Gray.

JUDICIARY II: Add Representatives Redwine and C. Wilson.

LOCAL AND REGIONAL GOVERNMENT I: Remove Representative Braswell.

PENSIONS AND RETIREMENT: Remove Representative Church; move Representative Rogers to Ranking Minority Member; and move Representative McCombs to Vice Chair.

PUBLIC EMPLOYEES: Remove Representative Jarrell, add Representative Michaux.

TRANSPORTATION: Remove Representative Jarrell.

WAYS AND MEANS: Add Representative Jarrell.

CAUCUS LEADERS ANNOUNCED

Representative Black is recognized and announces that the Democratic Caucus met and elected Representative James Black as House Minority Leader, Representative Toby Fitch as Deputy House Minority Leader, and Representatives Martha Alexander and Jerry Braswell as House Minority Whips.

The Senate is so notified by Special Message.

On motion of Representative Morgan, seconded by Representative Black, the House adjourns at 1:22 p.m. to reconvene Monday, February 17, 1997, at 7:00 p.m.

ELEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 17, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Dickson.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Cunningham, Ellis, Hill, Nesbitt, Warner, and Wright for today. Representative Goodwin is excused for a portion of the session.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **S.B. 27,** A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES IN THE CONFORMING LEGISLATION CONCERNING GUBERNATORIAL VETO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Neely:

H.B. 173, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO RELABEL MISDEMEANOR PRIOR RECORD CONVICTIONS, is referred to the Committee on Judiciary II.

By Representative Neely:

H.B. 174, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO PERMIT AN ACTIVE SENTENCE TO BE IMPOSED FOR A CRIMINAL CONVICTION IF THE DEFENDANT SERVED TIME AWAITING TRIAL, is referred to the Committee on Judiciary II.

By Representative Neely:

H.B. 175, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO MAKE CERTAIN TECHNICAL, CLARIFYING, AND CONFORMING AMENDMENTS TO STRUCTURED SENTENCING, is referred to the Committee on Judiciary II.

By Representatives Ives, Baker, Brown, Capps, Hall, Rayfield, Sherrill, Shubert, and Weatherly:

H.B. 176, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES FOR EQUINE ACTIVITIES AND TO PROVIDE QUALIFIED IMMUNITY FROM LIABILITY, is referred to the Committee on Judiciary II.

By Representative McMahan:

H.B. 177, A BILL TO BE ENTITLED AN ACT ALLOW THE TOWN OF PINEVILLE TO PROVIDE LOCAL EXCHANGE AND EXCHANGE ACCESS SERVICES TO THE TERRITORY WITHIN ITS CORPORATE LIMITS AND IN CONTIGUOUS AREAS OUTSIDE THE CORPORATE LIMITS IN THE GENERAL VICINITY OF THE TOWN, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Commerce.

By Representatives McMahan, Bowie, Barbee, Crawford, Holmes, Miner, and Thompson:

H.B. 178, A BILL TO BE ENTITLED AN ACT TO EXTEND THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS AND TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Justus, Kiser, Starnes, and Thompson:

H.B. 179, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PERFORMANCE AUDIT OF THE DIVISION OF ADULT PROBATION AND PAROLE IN THE DEPARTMENT OF CORRECTION, is referred to the Committee on Appropriations.

By Representatives Culp, Aldridge, Alexander, Arnold, Barbee, Brawley, Brown, Carpenter, Clary, Cole, Dedmon, Eddins, Fox, Grady, Hall, Hiatt, Hightower, H. Hunter, Justus, McCrary, Mercer, Morris, Owens, Preston, Reynolds, Russell, Shubert, Wainwright, Watson, Weatherly, and Yongue:

H.B. 180, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INSTALLATION OF NONPRESSURIZED DRY FIRE HYDRANTS IN RURAL AREAS OF THE STATE, is referred to the Committee on Appropriations.

By Representative Culp:

H.B. 181, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW ASSISTANT COUNTY FOREST RANGER POSITION IN RANDOLPH COUNTY, is referred to the Committee on Appropriations.

By Representatives Bowie and McMahan:

H.B. 182, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM PRIOR RECORD LEVEL CALCULATIONS CERTAIN PRIOR CONVICTIONS THAT ARE OVER TEN YEARS OLD, is referred to the Committee on Judiciary II.

By Representatives Bowie, Aldridge, Barbee, Capps, Crawford, Creech, Decker, Dickson, Dockham, Grady, Gray, Gulley, Hardy, McComas, McMahan, Mercer, Nye, Preston, Redwine, Rogers, Russell, Sherrill, Starnes, Thompson, Tolson, Watson, G. Wilson, and Wood:

H.B. 183, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary II.

By Representatives Redwine, Creech, Mercer, Mitchell, and Nichols:

H.B. 184, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FROM ARTICLE 2A OF THE ADMINISTRATIVE PROCEDURE ACT AND TO REQUIRE THE EMPLOYEE HOSPITAL AND MEDICAL BENEFITS COMMITTEE TO

MEET AT LEAST QUARTERLY, is referred to the Committee on Insurance.

By Representatives Mitchell, Allred, Creech, Mercer, Nichols, and Redwine (Co-Sponsors):

H.B. 185, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO MODIFY THE METHOD AND REPORTING PERIOD FOR FAMILY CARE HOMES, is referred to the Committee on Human Resources.

By Representatives Mitchell, Allred, Creech, Mercer, Nichols, and Redwine (Co-Sponsors); Morris and Shubert:

H.B. 186, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AMENDMENTS TO THE STATUTES PROVIDING FOR CRIMINAL HISTORY RECORD CHECKS OF INDIVIDUALS INVOLVED IN PROVIDING CHILD FOSTER CARE AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

By Representative Bowie:

H.B. 187, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATIONS TO PROVIDE THAT MULTIPLE PRIOR CONVICTIONS ARISING OUT OF SEPARATE TRANSACTIONS SHALL BE USED IN CALCULATING PRIOR RECORD LEVELS IF THOSE CONVICTIONS ARE NOT TRANSACTIONALLY RELATED OFFENSES, is referred to the Committee on Judiciary II.

By Representative Culp:

H.B. 188, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representative Culp:

H.B. 189, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA DRINKING WATER ACT SO THAT IT CONFORMS WITH FEDERAL LAW, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Ramsey and Beall:

H.B. 190, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF FOREST RESOURCES, FOR A FORESTRY HEADQUARTERS FACILITY IN MADISON COUNTY, is referred to the Committee on Appropriations.

By Representatives R. Hunter, Culpepper, Hensley, McCrary, and Neely:

H.B. 191, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE, is referred to the Committee on Judiciary I.

By Representatives R. Hunter, Culpepper, Hensley, McCrary, and Neely:

H.B. 192, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION, is referred to the Committee on Judiciary I.

By Representatives R. Hunter, Bonner, Capps, Culpepper, Goodwin, Hall, Hensley, Hightower, McCrary, Moore, Rayfield, and Starnes:

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ELIMINATE INFRACTIONS FROM CONSIDERATION IN THE SAFE DRIVER INCENTIVE PLAN, TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS, AND TO PROHIBIT INSURANCE POINTS AND SURCHARGES IF BODILY INJURY DOES NOT OCCUR, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary I.

By Representatives Culp and Weatherly:

H.B. 194, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ACCOUNT WITHIN THE STATE REVOLVING LOAN AND GRANT FUND SO THAT FUNDS MADE AVAILABLE UNDER THE FEDERAL SAFE DRINKING WATER ACT AMENDMENTS OF 1996 MAY BE USED BY THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representative Bowie:

H.B. 195, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MAKE CLARIFYING CHANGES TO POST-RELEASE SUPERVISION, is referred to the Committee on Judiciary II.

By Representative Bowie:

H.B. 196, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO ADD POST-RELEASE SUPERVISION FOR CLASS F AND CLASS G FELONS AND TO MAKE OTHER SUBSTANTIVE CHANGES AFFECTING POST-RELEASE SUPERVISION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 197, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR CONDUCTING JUDICIAL SALES OF TIMBER BY SEALED BID, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Sexton, Allred, Capps, Culp, Hall, Moore, Reynolds, and Watson:

H.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO ARRANGE FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT, is referred to the Committee on Judiciary I.

By Representative Culpepper:

H.B. 199, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO LIENS DUE MEDICAL PROVIDERS FOR MEDICAL SERVICES PROVIDED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 200, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND SIMILAR MINOR CHANGES TO CHAPTER 48 OF THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 202, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 203, A BILL TO BE ENTITLED AN ACT TO SUPPLEMENT CLARK'S CALENDAR, WHICH MAY BE INTRODUCED IN EVIDENCE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Neely, Culpepper, Hensley, R. Hunter, and McCrary:

H.B. 204, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORECLOSURE FILING FEES, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representative Bowie:

H.B. 205, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITIONS OF "OUT-OF-STATE DRIVING CONVICTION" AND "MOPED" USED IN THE MOTOR VEHICLE LAWS, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary II.

By Representative Bowie:

H.B. 206, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE PERFORMANCE AUDIT OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION BY ELIMINATING THE POSITION OF COMMISSIONER OF MOTOR VEHICLES AND ALLOWING THE SECRETARY OF TRANSPORTATION TO DESIGNATE A DEPUTY TO BE THE HEAD OF THE DIVISION, is referred to the Committee on Transportation.

By Representatives Bowie and Thompson:

H.B. 207, A BILL TO BE ENTITLED AN ACT TO REDUCE THE NUMBER OF POSITIONS IN THE DIVISION OF MOTOR VEHICLES ENFORCEMENT SECTION, is referred to the Committee on Transportation and, if favorable, to the Committee on Appropriations.

By Representatives Bowie, Adams, Hiatt, Sexton, Starnes, and Thompson:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE ONE-DOLLAR FEE FOR MAIL-IN VEHICLE REGISTRATION, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Bowie, Barbee, McMahan, Miner, and Sexton:

H.B. 209, A BILL TO BE ENTITLED AN ACT TO REDUCE BY HALF THE NUMBER OF SALVAGE INSPECTIONS PERFORMED BY DMV ENFORCEMENT AND TO ELIMINATE ISSUANCE OF UN-BRANDED TITLES FOR VEHICLES BRANDED IN OTHER STATES, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Brown and Yongue:

H.B. 210, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, is referred to the Committee on Agriculture.

By Representative Culp:

H.B. 211, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Brawley and Sexton:

H.B. 212, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE FOR COMMUNITY SERVICE, is referred to the Committee on Judiciary II.

By Representative Nichols:

H.B. 213, A BILL TO BE ENTITLED AN ACT ALLOWING THE BOARDS OF COUNTY COMMISSIONERS IN ALL COUNTIES TO ASSUME DIRECT CONTROL OF COUNTY BOARDS, COMMISSIONS, AND AGENCIES AND ALLOWING ALL COUNTIES HAVING COUNTY MANAGERS TO MODIFY OR CONSOLIDATE THE LOCAL

ADMINISTRATION AND DELIVERY OF HUMAN SERVICES, is referred to the Committee on Human Resources.

By Representatives Nichols and Culp:

H.B. 214, A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Nichols, Culp, and Weatherly:

H.B. 215, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL WASTEWATER SYSTEMS THAT MUST BE PERMITTED TO DISCHARGE WASTE TO HAVE AN ON-SITE GENERATOR, TO MAKE THIS REQUIREMENT A CONDITION OF A PERMIT, AND TO AUTHORIZE GRANTS FROM THE CLEAN WATER MANAGEMENT TRUST FUND TO LOCAL GOVERNMENTS FOR A PORTION OF THE COST OF SATISFYING THIS REQUIREMENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representatives Nichols and Culp:

H.B. 216, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE CLEAN WATER MANAGEMENT TRUST FUND FOR LOANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Finance.

By Representatives McCrary, Culpepper, Hensley, R. Hunter, and Neely:

H.B. 217, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF AN ORDER FOR RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF SUCH A JUDGMENT, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN A CRIMINAL CASE, is referred to the Committee on Judiciary II.

By Representatives McCrary, Culpepper, Hensley, R. Hunter, and Neely:

H.B. 218, A BILL TO BE ENTITLED AN ACT TO RECONFORM THE MILEAGE REIMBURSEMENT FOR OUT-OF-STATE WITNESSES TO THAT RECEIVED BY IN-STATE WITNESSES AND STATE EMPLOYEES, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

By Representative Culpepper:

H.B. 219, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO INCREASE THE FEE CORPORATIONS MUST PAY FOR REINSTATEMENT AFTER ADMINISTRATIVE DISSOLUTION, TO ESTABLISH A FEE LIMITED LIABILITY COMPANIES MUST PAY FOR REINSTATEMENT AFTER ADMINISTRATIVE DISSOLUTION, AND TO PROVIDE THAT ANNUAL REPORTS OF BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, AS RECOMMENDED BY THE GENERAL STATUES STUDY COMMISSION, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Culpepper, Hensley, R. Hunter, McCrary, and Neely:

H.B. 220, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION, is referred to the Committee on Judiciary II.

By Representatives Culpepper, Hensley, R. Hunter, McCrary, and Neely:

H.B. 221, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A MAGISTRATE OR OTHER AUTHORIZED JUDICIAL OFFICIAL IN A NONCAPITAL CASE TO CONDUCT AN INITIAL APPEARANCE BY A TWO-WAY AUDIO AND VIDEO PROCEEDING, is referred to the Committee on Judiciary II.

By Representatives Culpepper, Hensley, R. Hunter, McCrary, and Neely:

H.B. 222, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ISSUE OF WHETHER A DEFENDANT IS A HABITUAL FELON OR A VIOLENT HABITUAL FELON SHALL BE DETERMINED BY THE TRIAL JUDGE, is referred to the Committee on Judiciary II.

By Representatives Oldham, Adams, Bonner, Boyd-McIntyre, Braswell, Earle, Fitch, Gray, Hardaway, Hightower, H. Hunter, Jeffus, Kinney, Michaux, Rogers, Sutton, Wainwright, Womble, Wright, and Yongue:

H.B. 223, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT WINSTON-SALEM STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Weatherly, Brown, Culp, Dickson, Fox, McCombs, Mitchell, Thompson, Tolson, and G. Wilson:

H.B. 224, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO APPROVE THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Weatherly, Bonner, Brown, Culp, Dickson, Fox, McCombs, McCrary, Mitchell, Thompson, Tolson, and G. Wilson:

H.B. 225, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT RELEASES IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Finance.

By Representative Hackney:

H.B. 226, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AN APPLICANT FOR A PERMIT UNDER THE STATUTES GOVERNING SOLID WASTE MANAGEMENT BE FINANCIALLY QUALIFIED AND DEMONSTRATE SUBSTANTIAL COMPLIANCE

WITH ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Hackney, Culp, and Hightower:

H.B. 227, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Hackney, Culp, and Mosley:

H.B. 228, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTY OF AN OWNER, OPERATOR, OR OTHER RESPONSIBLE PARTY OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE TO NOTIFY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OF THE EXISTENCE OF THE SITE, TO REQUIRE OWNERS, OPERATORS, AND OTHER RESPONSIBLE PARTIES TO FURNISH INFORMATION REGARDING THE SITE, AND TO SIMPLIFY THE INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE INVENTORY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Hackney, Culp, and Hightower:

H.B. 229, A BILL TO BE ENTITLED AN ACT TO REDUCE THE FREQUENCY OF THE REPORT ON THE INACTIVE HAZARDOUS SUBSTANCE RESPONSE ACT OF 1987 FROM ANNUALLY TO EVERY TWO YEARS AND TO CLARIFY THE PUBLIC COMMENT PERIOD ON REMEDIAL ACTION PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Jeffus, Adams, Alexander, Bowie, Boyd-McIntyre, Braswell, Earle, Easterling, Hill, Jarrell, Moore, Morris, Mosley, Oldham, and Tolson:

H.B. 230, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT A NATIONAL MEMORIAL HONORING ALL

WOMEN MILITARY PERSONNEL, is referred to the Committee on Appropriations.

By Representatives Hiatt, Ellis, and Ramsey:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION, is referred to the Committee on Judiciary I.

By Representatives Hiatt, Culp, and Ramsey:

H.B. 232, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION AND ENHANCEMENT OF THE MEDICAL EVALUATION PROGRAM IN THE DIVISION OF MOTOR VEHICLES AS RECOMMENDED BY THE DRIVER MEDICAL EVALUATION PROGRAM STUDY COMMISSION, is referred to the Committee on Appropriations.

By Representatives Fox, Crawford, Goodwin, Moore, Mosley, Thompson, and Wilkins:

H.B. 233, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM NEAR AN ELEMENTARY OR SECONDARY SCHOOL IN VANCE COUNTY, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary I.

By Representatives Easterling and Adams:

H.B. 234, A BILL TO BE ENTITLED AN ACT TO IMPOSE A CIVIL PENALTY AND TO MAKE IT A CLASS 3 MISDEMEANOR IF A LANDLORD FAILS TO PROVIDE, INSTALL, REPLACE, OR REPAIR A SMOKE DETECTOR IN A RESIDENTIAL RENTAL DWELLING, is referred to the Committee on Judiciary II.

By Representatives Easterling, Adams, Alexander, Black, Cunningham, Gulley, McMahan, and Saunders:

H.B. 235, A BILL TO BE ENTITLED AN ACT TO INCREASE THE UNIFORM FEE FOR A CERTIFIED BIRTH, DEATH, OR MARRIAGE CERTIFICATE, is referred to the Committee on Human Resources and, if favorable, to the Committee on Finance.

By Representatives Dockham and Culp:

H.B. 236, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF TRINITY, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Mitchell, Nichols, and Weatherly:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Mitchell, Nichols, and Weatherly:

H.B. 238, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE OWNERS AND OPERATORS OF ANIMAL WASTE MANAGEMENT SYSTEMS TO PARTICIPATE IN CERTAIN RESEARCH STUDIES DIRECTED BY THE GENERAL ASSEMBLY BY LIMITING ENFORCEMENT ACTIONS FOR UNINTENTIONAL AND NON-NEGLIGENT VIOLATIONS OF WATER QUALITY STANDARDS THAT ARE IDENTIFIED IN THE COURSE OF THOSE RESEARCH STUDIES AND TO CLARIFY THE REPORTING DATES FOR THOSE RESEARCH STUDIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary II.

By Representatives Mitchell, Morris, Nichols, and Weatherly:

H.B. 239, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED

BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment.

By Representatives Mitchell, Nichols, and Weatherly:

H.B. 240, A BILL TO BE ENTITLED AN ACT TO REMOVE THE MATCHING FUNDS REQUIREMENT FOR THE FUNDS APPROPRIATED IN 1996 TO CONDUCT AN ODOR CONTROL TECHNOLOGY STUDY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representatives Mitchell, Nichols, and Weatherly:

H.B. 241, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT A CONSERVATION EASEMENTS PROGRAM FOR THE PROTECTION OF NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Appropriations.

By Representatives Mitchell, Nichols, Starnes, and Weatherly:

H.B. 242, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Finance.

By Representatives Mitchell, Nichols, and Weatherly:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROTECT PUBLIC HEALTH AND SAFETY BY ASSURING ADEQUATE INSPECTION OF DAMS AND TO IMPROVE THE IMPLEMENTATION OF THE DAM SAFETY ACT OF 1967, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Appropriations.

By Representatives Mitchell, Mosley, Nichols, and Weatherly:

H.B. 244, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ENVIRONMENTAL EDUCATION TRUST FUND TO ASSURE THE FUNDING OF ENVIRONMENTAL EDUCATION AND TO APPROPRIATE FUNDS TO THAT FUND, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Appropriations.

By Representatives Mitchell and Weatherly:

H.B. 245, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WETLANDS RESTORATION PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representatives Mitchell, Nichols, and Weatherly:

H.B. 246, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND EXTEND THE PROTECTION OF THE STATE'S NATURAL LANDS BY EXTENDING THE AUTHORIZED EXPENDITURES FROM THE NATURAL HERITAGE TRUST FUND AND BY ALLOWING QUALIFIED PRIVATE NONPROFIT LAND TRUST ORGANIZATIONS TO HOLD TITLE TO ACQUIRED LANDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Appropriations.

By Representatives Mitchell and Weatherly:

H.B. 247, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PERFORMANCE OF ENVIRONMENTAL AUDITS BY PROVIDING A LIMITED PRIVILEGE AGAINST THE DISCLOSURE OF AN ENVIRONMENTAL AUDIT REPORT AND TO GRANT EXEMPTIONS FROM CIVIL PENALTIES TO A PERSON OR OTHER ENTITY THAT VOLUNTARILY DISCLOSES A VIOLATION OF AN ENVIRONMENTAL LAW, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Judiciary II.

By Representatives Clary, Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Crawford, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Gray, Gulley, Hackney, Hall,

Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, H. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Luebke, McAllister, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nichols, Oldham, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue:

H.B. 248, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES, is referred to the Committee on Judiciary I.

By Representative Culp:

H.B. 249, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NATURAL RESOURCES LEADERSHIP INSTITUTE, A PROJECT OF THE NORTH CAROLINA COOPERATIVE EXTENSION SERVICE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Appropriations.

By Representatives McMahan, Barbee, Bowie, Crawford, Holmes, Miner, and Starnes:

H.B. 250, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE COLLECTION OF AN EMISSIONS PENALTY IN THE LIST OF ITEMS FOR WHICH BRANCH AGENTS OF THE DIVISION OF MOTOR VEHICLES ARE COMPENSATED, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary II.

By Representative Culp:

H.B. 251, A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS CERTIFICATION COMMISSION, TO REQUIRE THAT WELL CONTRACTORS BE CERTIFIED, AND TO MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Preston, Clary, Culp, Redwine, and Smith:

H.B. 252, A BILL TO BE ENTITLED AN ACT TO FUND THE DEVELOPMENT OF A HUMAN USE MAP AND A USER

COORDINATION PLAN FOR CORE SOUND, is referred to the Committee on Appropriations.

By Representatives Preston, Clary, Culp, Redwine, Smith, and Watson:

H.B. 253, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY ISSUES RELATING TO PUBLIC SHELLFISHING AND THE SHELLFISH LEASING PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Preston, Clary, Culp, Redwine, Smith, and Watson:

H.B. 254, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE OYSTER REHABILITATION PROGRAM TO THE SHELLFISH REHABILITATION PROGRAM AND TO PROVIDE OVERSIGHT OF THE USE OF SHELLFISH REHABILITATION PROGRAM FUNDS, is referred to the Committee on Appropriations.

By Representatives Preston, Clary, McComas, Smith, and Watson:

H.B. 255, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE STATE PORTS, is referred to the Committee on Appropriations.

By Representatives Preston, Arnold, Baker, Barbee, Clary, Grady, Gray, Hall, McComas, McMahan, Mitchell, Morris, Nichols, Owens, Russell, Sherrill, Shubert, Smith, Warner, and Watson:

H.B. 256, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REPORTING OF THE USE OF FUNDS FOR PUBLIC SCHOOLS AT THE UNIT AND BUILDING LEVELS; TO ALLOW THE STATE BOARD TO SUSPEND LOCAL BUDGET FLEXIBILITY IF A LOCAL BOARD FAILS OR REFUSES TO COMPLY WITH LAWS AND RULES CONCERNING THE BUDGETING, MANAGEMENT, AND EXPENDITURE OF PUBLIC SCHOOL FUNDS; TO PROHIBIT LOCAL BOARDS FROM USING STATE AND LOCAL FUNDS TO BUY OUT SUPERINTENDENTS' CONTRACTS; AND TO MAKE AN APPROPRIATION, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives McComas and Watson:

H.B. 257, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR RAILROADS PROVIDING INCREASED SERVICE TO THE NORTH CAROLINA STATE PORTS, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Tolson and Mitchell:

H.B. 258, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Judiciary I.

By Representatives Watson, Adams, Alexander, Black, Bonner, Boyd-McIntyre, Clary, Davis, Dockham, Eddins, Fitch, Goodwin, Hensley, Hill, H. Hunter, Hurley, McComas, Michaux, Mitchell, Morris, Mosley, Nichols, Preston, Redwine, Russell, Wainwright, and Warner:

H.B. 259, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPROVE WATER QUALITY IN THE CAPE FEAR RIVER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Appropriations.

By Representatives Gray, Davis, Hall, Mitchell, Rayfield, Sherrill, and Watson:

H.B. 260, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONSERVATION EASEMENTS PROGRAM THAT USES CONSERVATION TAX CREDITS FOR THE PROTECTION OF NATURAL RESOURCES AND THAT FURTHERS APPROPRIATE PUBLIC USE OF NATURAL RESOURCES, TO CREATE THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT COOPERATIVE CONSERVATION EFFORTS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representatives Creech, Allred, Mercer, Mitchell, Nichols, and Redwine:

H.B. 261, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS ON ADMINISTRATIVE PROCEDURE, is referred to the Committee on Judiciary I.

By Representatives Nichols and Culp:

H.B. 262, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE WATER QUALITY OF THE SURFACE WATERS OF THIS STATE BY FURTHER LIMITING THE AMOUNT OF NITROGEN THAT CERTAIN LARGE FACILITIES DISCHARGE TO NUTRIENT SENSITIVE WATERS WHERE NITROGEN IS A NUTRIENT OF CONCERN AND TO AUTHORIZE THE USE OF UP TO TWENTY-FIVE PERCENT OF THE FUNDS IN THE CLEAN WATER MANAGEMENT TRUST FUND FOR A PORTION OF THE COSTS TO LOCAL GOVERNMENTS OF MODIFYING EXISTING FACILITIES TO SATISFY THIS STRICTER LIMIT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representatives Gardner, Morris, and Watson:

H.B. 263, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE INDEPENDENT STUDY COMMISSION ON THE REORGANIZATION OF THE DEPARTMENT OF HUMAN RESOURCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of February 17 are introduced to the membership. They are: Robert Oliver Branch of Wake; Patrick David Brown of Cleveland; Elliotte Todd Chandler of Wake; Gregory Paul Chickneas of Wake; Jeffrey Kyle Covington of Alamance; Ashley G. Craig of Iredell; John Forbes Dixon of Nash; Benjamin Nathan Garren of Wake; Ronnie Lamont Hamilton of Granville; Darcy Anne Hampton of Vance; Greta Jean Hanson of Pasquotank; William Edward Herring of Harnett; Alicia K. Konneker of Iredell; Joel Peyton Maynard of Wake; Raymond McCall of Harnett; Mariel Meadows of Johnston; Alison Rogers Tew of Johnston; and David Wood of McDowell.

On motion of Representative Morgan, seconded by Representative McCrary, the House adjourns at 7:24 p.m., in memory of former members Gordon H. Greenwood and Barney Paul Woodard, Sr., to reconvene February 18 at 2:00 p.m.

TWELFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 18, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Jeffus.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Nesbitt, Sherrill, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO GIVE THE CRAVEN COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY IN MAKING UP SCHOOL DAYS LOST DUE TO INCLEMENT WEATHER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 63, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF

RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 84, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THREE OF THE MEMBERS ELECTED TO THE PINEHURST VILLAGE COUNCIL IN 1995 SHALL SERVE FOUR-YEAR TERMS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL MUNICIPAL SERVICES TO BE PROVIDED TO A NEWLY ANNEXED AREA ON THE DATE OF ANNEXATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 93, A BILL TO BE ENTITLED AN ACT TO REQUIRE AT LEAST TWO REPRESENTATIVES FROM A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION ON THE PLANNING AGENCY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 103, A BILL TO BE ENTITLED AN ACT TO DESIGNATE NINETEEN PRECINCTS IN AVERY COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 34, A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF CATAWBA, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 19.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 113, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Redwine, Baddour, Cole, Goodwin, Mercer, Moore, Mosley, Saunders, Tolson, and Yongue:

H.B. 264, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Finance.

By Representatives Sexton, Allred, Baker, Cole, and Reynolds:

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ADD GUILFORD, ROCKINGHAM, AND STOKES COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHO-PHOTOGRAPHY, is referred to the Committee on Local and Regional Government II.

By Representatives Eddins and Capps:

H.B. 266, A BILL TO BE ENTITLED AN ACT TO ALLOW PRIVATE PASSENGER AND PRIVATE PROPERTY HAULING VEHICLES WEIGHING UP TO 6,000 POUNDS TO BE ISSUED "FIRST IN FLIGHT" PLATES AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERSONALIZED COMMERCIAL LICENSE PLATES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Sherrill, Arnold, Berry, Bonner, Brown, Buchanan, Cansler, Capps, Cole, Esposito, Gardner, Gulley, Hall, Hardy, Hiatt, Holmes, Ives, Justus, Kiser, McCrary, Moore, Mosley, Sexton, Thompson, Warwick, Weatherly, and Yongue:

H.B. 267, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FROM A MISDEMEANOR TO A CLASS G FELONY FOR THE OFFENSES OF FALSELY REPORTING THAT A BOMB OR OTHER DESTRUCTIVE DEVICE MAY EXPLODE AND PERPETUATING A HOAX BY USING A FALSE DESTRUCTIVE DEVICE, is referred to the Committee on Judiciary I.

By Representatives Brawley, Brown, Holmes, and Mitchell:

H.B. 268, A BILL TO BE ENTITLED AN ACT TO DIVIDE JUDICIAL AND PROSECUTORIAL DISTRICTS 22, is referred to the Committee on Judiciary I.

By Representatives Allred, Cole, and Reynolds:

H.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., is referred to the Committee on Local and Regional Government I.

By Representatives Decker, Sexton, and Womble:

H.B. 270, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANIA, is referred to the Committee on Local and Regional Government II.

By Representatives Shubert, Aldridge, Arnold, Baddour, Baker, Beall, Berry, Bonner, Bowie, Buchanan, Cansler, Capps, Church, Clary, Cole, Decker, Easterling, Esposito, Gardner, Goodwin, Gulley, Hall, Hardy, H. Hunter, Justus, Kiser, McComas, McMahan, Moore, Morris, Mosley, Preston, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Warwick, Watson, G. Wilson, Wood, and Yongue:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Shubert, Aldridge, Arnold, Baddour, Beall, Berry, Bonner, Bowie, Buchanan, Cansler, Capps, Church, Clary, Cole, Decker, Easterling, Esposito, Gardner, Goodwin, Gulley, Hall, Hardy, H. Hunter, Justus, Kiser, McComas, McMahan, Moore, Mosley, Preston, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Tolson, Warwick, Watson, G. Wilson, Wood, and Yongue:

H.B. 272, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE INSTITUTIONS OF THE COMMUNITY COLLEGE SYSTEM TO OBTAIN REFUNDS OF SALES AND USE TAXES, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Rayfield, Berry, Clary, Cole, Dedmon, Dickson, Gamble, Kiser, Moore, and Weatherly:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES AT THE CENTER FOR APPLIED TEXTILE TECHNOLOGY, is referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 38,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Miller, the House adjourns at 2:12 p.m. to reconvene February 19 at 2:00 p.m.

THIRTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 19, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Boyd-McIntyre.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (114-0).

Leaves of absence are granted Representatives Blue, Bonner, and Wright for today. Representative Arnold is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 204, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORECLOSURE FILING FEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 221, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A MAGISTRATE OR OTHER AUTHORIZED JUDICIAL OFFICIAL IN A NONCAPITAL CASE TO CONDUCT AN INITIAL APPEARANCE BY A TWO-WAY AUDIO AND VIDEO PROCEEDING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 248, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Mitchell and Hall:

H.B. 274, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF FISH IN INTERNAL COASTAL WATERS BY TRAWLING AND THE USE OF CERTAIN TYPES OF NETS, is referred to the Committee on Environment.

By Representatives Sherrill, Berry, Cansler, Morris, Rayfield, and Thompson:

H.B. 275, A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DECENTRALIZATION OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, is referred to the Committee on State Government.

By Representatives Sherrill, Berry, Cansler, Culpepper, Hall, Morris, Rayfield, and Thompson:

H.B. 276, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FOUR PERCENT STATE SALES AND USE TAX ON NON-PRESCRIPTION MEDICINES, is referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

By Representatives Buchanan, Aldridge, Rayfield, and Thompson:

H.B. 277, A BILL TO BE ENTITLED AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF ELECTIONS, is referred to the Committee on Election Law and Campaign Reform.

By Representatives H. Hunter and Adams:

H.B. 278, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO COMPLETE THE RESTORATION OF THE OLD GATES COUNTY COURTHOUSE, is referred to the Committee on Appropriations.

By Representatives H. Hunter and Adams:

H.B. 279, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PROMOTION AND ADVERTISEMENT OF THE NORTH CAROLINA WELCOME CENTER IN NORTHAMPTON COUNT, is referred to the Committee on Appropriations.

By Representatives Tolson and Mercer:

H.B. 280, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF THE TOWN COUNCIL TO ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Local and Regional Government II.

By Representatives Starnes, Brown, and Holmes:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ALEXANDER COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS, is referred to the Committee on Local and Regional Government I.

By Representatives Starnes, Hardy, and Morris:

H.B. 282, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX THE INCREASE IN VALUE OF CERTAIN RESIDENTIAL REAL PROPERTY HELD FOR SALE BY A BUILDER, TO THE EXTENT THE INCREASE IS ATTRIBUTABLE TO SUBDIVISION OR IMPROVEMENTS BY THE BUILDER, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 34, A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF CATAWBA.

On motion of Representative Brawley, Committee Amendment No. 1 is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Arnold, Blue, Bonner, and Wright - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 27,** A BILL TO BE ENTITLED AN ACT TO MAKE PROCEDURAL CHANGES IN THE CONFORMING LEGISLATION CONCERNING GUBERNATORIAL VETO, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and sent to the Governor.

On motion of Representative Morgan, seconded by Representative Baddour, the House adjourns at 2:21 p.m., in memory of Nell Cole Graves,

a fifth-generation potter who paved the way for women to work with clay, to reconvene February 20 at 2:00 p.m.

FOURTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 20, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Aldridge.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-0).

Leaves of absence are granted Representatives Berry, Church, Culpepper, Ives, and Wright for today.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 27, AN ACT TO MAKE PROCEDURAL CHANGES IN THE CONFORMING LEGISLATION CONCERNING GUBERNATORIAL VETO.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, C. Wilson, Brawley, and Dickson, Co-Chairs, for the Committee on Finance:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 35, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME ALLOWED GOVERNMENT ENTITIES AND NONPROFIT ENTITIES FOR CLAIMING SALES TAX REFUNDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 137, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO ADD TO THE LIST OF AGGRAVATING FACTORS THAT CERTAIN PEOPLE WERE SERIOUSLY INJURED AS A RESULT OF THE OFFENSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 77, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO DISSOLVE CERTAIN AREA MENTAL HEALTH AUTHORITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF YADKINVILLE FROM CERTAIN STATUTORY REQUIREMENTS IN THE EXPANSION AND IMPROVEMENT OF THE TOWN'S SEWAGE TREATMENT PLANT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 24.

H.B. 51, A BILL TO BE ENTITLED AN ACT TO GIVE MUNICIPALITIES IN BUNCOMBE COUNTY GENERAL LAW

POWERS AS TO DOWNTOWN DEVELOPMENT PROJECTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 62, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 65, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 91, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY THE NONBETTERMENT COSTS OF UTILITY RELOCATIONS FOR WATER AND SEWER LINES OWNED BY A SYSTEM CREATED PURSUANT TO ARTICLE 20 OF CHAPTER 160A OF THE GENERAL STATUTES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 236, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF TRINITY, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Culpepper:

H.B. 283, A BILL TO BE ENTITLED AN ACT TO ALLOW PERQUIMANS COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Gamble, Alexander, Fitch, and Luebke:

H.B. 284, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE MINIMUM TAX FOR CORPORATIONS THAT REDUCE THEIR TAXABLE INCOME BY DEDUCTING INTEREST EXPENSE ATTRIBUTABLE TO TAX-EXEMPT INTEREST INCOME, is referred to the Committee on Finance.

By Representatives McCombs, Gardner, Smith, and Sutton:

H.B. 285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FOR HIGHWAY PATROL TROOP E HEADQUARTERS PLANNING FUNDS, is referred to the Committee on Appropriations.

By Representative Arnold:

H.B. 286, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF DORTCHES AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Brawley, Goodwin, Hensley, Mitchell, and Smith:

H.B. 287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROMOTING AND PRESERVING THE RICH HERITAGE OF AUTO RACING IN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Adams, Bonner, Bowie, Boyd-McIntyre, Decker, Fitch, H. Hunter, Jarrell, Jeffus, Michaux, Wainwright, and Wood:

H.B. 288, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF COMPLAINTS BY PUBLICATION AND SERVICE OF NOTICES AND ORDERS BY REGULAR MAIL IN HOUSING CODE CASES IN THE CITY OF GREENSBORO, is referred to the Committee on Local and Regional Government II.

By Representatives Gray, Adams, Blue, Easterling, Hackney, and Hensley:

H.B. 289, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXHIBITS FOR THE NEW NORTH CAROLINA STATE MUSEUM OF NATURAL SCIENCES, is referred to the Committee on Appropriations.

By Representatives Shubert, Clary, and Reynolds:

H.B. 290, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON ELECTRONIC COMMERCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Starnes and Sutton:

H.B. 291, A BILL TO BE ENTITLED AN ACT REQUIRING NOTIFICATION OF NEXT OF KIN BEFORE AN AUTOPSY MAY BE PERFORMED, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary I.

By Representatives Hill and Redwine (Co-Sponsors); and Sutton:

H.B. 292, A BILL TO BE ENTITLED AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary II.

CALENDAR

Action is taken on the following:

H.B. 34, A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF CATAWBA, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 111.

Voting in the negative: None.

Excused absences: Berry, Church, Culpepper, Ives, and Wright - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 84, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THREE OF THE MEMBERS ELECTED TO THE PINEHURST VILLAGE COUNCIL IN 1995 SHALL SERVE FOUR-YEAR TERMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 103, A BILL TO BE ENTITLED AN ACT TO DESIGNATE NINETEEN PRECINCTS IN AVERY COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 113, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 11, A BILL TO BE ENTITLED AN ACT TO GIVE THE CRAVEN COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY IN MAKING UP SCHOOL DAYS LOST DUE TO INCLEMENT WEATHER.

Representative Wilkins offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

On motion of Representative Morgan, seconded by Representative Reynolds, the House adjourns at 2:21 p.m. to reconvene Monday, February 24, 1997, at 7:00 p.m.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 24, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Moore.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan moves that the motion to withdraw **H.R. 172,** A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, from the Calendar pursuant to Rule 36(a) with subsequent re-referral to the Committee on UNC Board of Governors, be stricken from the Journal of February 20. Without objection, the Speaker so orders.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 20 has been examined and found correct. Upon his motion, the Journal is approved as corrected by electronic vote (106-1).

Leaves of absence are granted Representatives Earle, Hill, R. Hunter, Luebke, Redwine, Rogers, and Wright for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

Representative Gray, for the Committee on UNC Board of Governors, submits the following resolution with a favorable report for introduction.

A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING A PROHIBITION ON NOMINATIONS FROM THE FLOOR, A REQUIREMENT THAT A NOMINEE RECEIVE THE VOTES OF A MAJORITY OF THE MEMBERS PRESENT AND VOTING IN THE NOMINEE'S CATEGORY IN ORDER TO BE ELECTED, AND TO PROVIDE THAT AT LEAST TWO PERSONS ON THE AT-LARGE BALLOT SHALL BE MEMBERS OF THE MAJORITY POLITICAL PARTY.

Pursuant to Rule 31(a), the resolution is filed, assigned the number **H.R. 323** and placed on the Calendar of February 25 for its first reading.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Mosley, Capps, and Rayfield:

H.B. 293, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERMAJORITY OF THE DURHAM CITY COUNCIL TO APPROVE A SPECIFIC ANNEXATION IF A SUFFICIENT PROTEST PETITION IS SUBMITTED, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Mosley, Capps, and Rayfield:

H.B. 294, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN PARKWOOD IN DURHAM COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Cansler and Baddour (Co-Sponsors); Arnold, Capps, Carpenter, Cole, Crawford, Creech, Culpepper, Davis, Decker, Eddins, Fox, Goodwin, Hardy, Jeffus, McComas, Mercer, Mitchell, Morgan, Owens, Rayfield, Shubert, Smith, Starnes, Watson, Wilkins, C. Wilson, and Wood:

H.B. 295, A BILL TO BE ENTITLED AN ACT TO EXEMPT INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX, is referred to the Committee on Finance.

By Representatives Gulley, Barbee, Carpenter, Clary, Hall, Hardy, Kiser, McMahan, Morris, Rayfield, Sexton, Starnes, and C. Wilson:

H.B. 296, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MANNER OF ELECTION OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Owens, Alexander, Allred, Arnold, Berry, Bonner, Braswell, Church, Culpepper, Fitch, Hardaway, H. Hunter, Hurley, Kinney, Michaux, Nichols, Oldham, Tolson, and Wainwright:

H.B. 297, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR INFRASTRUCTURE IMPROVEMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 298, A BILL TO BE ENTITLED AN ACT INCREASING FROM FIVE TO SEVEN THE MEMBERSHIP OF THE COLUMBUS COUNTY AIRPORT AUTHORITY, is referred to the Committee on Local and Regional Government I.

By Representatives Sexton, Capps, Davis, Decker, Goodwin, Moore, Mosley, Rayfield, Sutton, Tolson, Warwick, and Yongue:

H.B. 299, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM ERA VETERANS, is referred to the Committee on State Government, Subcommittee on Military, Veterans, and Indian Affairs and, if favorable, to the Committee on Transportation.

By Representatives Preston and Smith:

H.B. 300, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPAIR AND RESTORE SEVERAL HISTORIC STRUCTURES AT THE BEAUFORT HISTORIC SITE, is referred to the Committee on Appropriations.

By Representatives Gardner and Culpepper (Co-Sponsors); Capps, Davis, Morris, and Shubert:

H.B. 301, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS, is referred to the Committee on Welfare Reform.

By Representative H. Hunter:

H.B. 302, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TAKING OF CERTAIN WILDLIFE IN COUNTIES WHERE AN

OUTBREAK OF RABIES HAS OCCURRED, is referred to the Committee on Environment.

By Representatives Aldridge, Baker, Cansler, Capps, Davis, Decker, Eddins, Hardy, McComas, Rayfield, Sexton, Shubert, Starnes, and Wood:

H.B. 303, A BILL TO BE ENTITLED AN ACT TO BAN PARTIAL-BIRTH ABORTIONS, is referred to the Committee on Human Resources.

By Representatives Rogers and H. Hunter:

H.B. 304, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXTEND THE BEAVER DAMAGE CONTROL PROGRAM AND TO INCLUDE BERTIE COUNTY IN THE PROGRAM, is referred to the Committee on Appropriations.

By Representative Morgan:

H.B. 305, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS AND DIRECTLY AFFECT THE STATE BUDGET, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 306, A BILL TO BE ENTITLED AN ACT TO DIRECTLY AFFECT THE STATE BUDGET AND AMEND THE PUBLIC LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morgan and Mosley:

H.B. 307, A BILL TO BE ENTITLED AN ACT RELATING TO ENVIRONMENTAL LAWS IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fitch, Adams, Arnold, Baddour, Blue, Bonner, Culp, Cunningham, Easterling, Hackney, H. Hunter, Insko, Jarrell, Kinney, Mosley, Russell, Smith, Wainwright, and Warner:

H.B. 308, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT A PROVISION ALLOWING SAVINGS IN EMPLOYER FICA CONTRIBUTIONS TO BE USED TO PAY FOR ADMINISTRATIVE EXPENSES OF FLEXIBLE COMPENSATION PROGRAMS FOR STATE EMPLOYEES AND EMPLOYEES OF EDUCATIONAL

INSTITUTIONS SUPPORTED BY THE STATE, is referred to the Committee on Public Employees.

By Representatives Alexander, Black, Cunningham, Dickson, Earle, Easterling, Gulley, McMahan, and Saunders:

H.B. 309, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO ISSUE TICKETS FOR OVERTIME PARKING ON CITY STREETS, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Judiciary I.

By Representatives Brawley, Aldridge, Arnold, Baker, Barbee, Brown, Buchanan, Cansler, Capps, Clary, Cole, Crawford, Creech, Culp, Davis, Decker, Eddins, Fox, Gardner, Grady, Hall, Hardy, Hiatt, Justus, Kiser, McComas, McCombs, Mitchell, Morris, Nichols, Owens, Rayfield, Sexton, Shubert, Starnes, Tallent, Thompson, Watson, Weatherly, G. Wilson, and Wood:

H.R. 310, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE PASSAGE OF THE BALANCED BUDGET AMENDMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cansler, Buchanan, Capps, Davis, McComas, Morgan, Sherrill, and Shubert:

H.B. 311, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SUNSET ON GENERAL STATUTES SECTION 116B-23, EXCLUSION FOR FORFEITED RESERVATION DEPOSITS AND TO MAKE A TECHNICAL CORRECTION, is referred to the Committee on Finance.

By Representatives Goodwin, Adams, Baddour, Black, Bonner, Bowie, Brawley, Buchanan, Cunningham, Dedmon, Easterling, Fitch, Fox, Grady, Hackney, Hall, Hensley, Hightower, H. Hunter, R. Hunter, Insko, Jarrell, Jeffus, Luebke, Moore, Morris, Mosley, Saunders, Smith, Sutton, Wainwright, Warwick, and Yongue:

H.B. 312, A BILL TO BE ENTITLED AN ACT UPDATING THE STATUTORY MORTALITY TABLES USED AS EVIDENCE TO ESTABLISH THE EXPECTANCY OF CONTINUED LIFE, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary II.

By Representatives Allred, Arnold, Capps, Clary, Creech, Davis, Decker, Grady, Gulley, Hardy, McComas, Nye, Sexton, Smith, Tolson, and Wood:

H.B. 313, A BILL TO BE ENTITLED AN ACT TO RETROACTIVELY REPEAL THE UNCONSTITUTIONAL INTANGIBLES TAX ON STOCK AND REFUND THE TAX WITH INTEREST FOR THE 1991 THROUGH 1994 TAX YEARS FROM THE RAINY DAY FUND, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 86, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO TWO SECTIONS OF THE GENERAL STATUTES IN NEED OF PROMPT CORRECTIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

CALENDAR

Action is taken on the following:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO GIVE THE CRAVEN AND PERSON COUNTY BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY IN MAKING UP SCHOOL DAYS LOST DUE TO INCLEMENT WEATHER.

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered engrossed and sent to the Senate.

H.B. 4, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF YADKINVILLE FROM CERTAIN STATUTORY REQUIREMENTS IN THE EXPANSION AND IMPROVEMENT OF THE TOWN'S SEWAGE TREATMENT PLANT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of February 24 are introduced to the membership. They are: Julie R. Allen of Stokes; Martha Katrice Bowsman of Wake; Melisa Ann Carrick of Moore; Raymond Taylor Clark of Rockingham; Katherine Elizabeth Cooke of Wake; Eston Lyrick Hanks of Guilford; Laura Kathryn Harvey of Wake; Bethany Lynn Innes of Wake; Rebecca Ann Jorgenson of Wake; Craig Ellis Joyner of Wake; David Andrew Nida of Warren; Christopher Scott Reavis of Cabarrus; Ebony Nicole Royal of Guilford; Steven Michael Sexton of Iredell; Kristen Elizabeth Smith of Cabarrus; William F. Southern, III of Stokes; Jennifer Ann Starnes of Rowan; Angela Dawn Williamson of Moore; and Matthew Donaldson Youngblood of Warren.

RE-REFERRALS

On motion of Representative Morgan and without objection, **H.B. 8,** A BILL TO BE ENTITLED AN ACT TO REPEAL RESTRICTIONS ON HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY, is withdrawn from the Committee on Local and Regional Government II and re-referred to the Committee on Local and Regional Government I.

On motion of Representative Morgan and without objection, **H.B. 17,** A BILL TO BE ENTITLED AN ACT TO REPEAL AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local and Regional Government II.

On motion of Representative Morgan, seconded by Representative Sutton, the House adjourns at 7:28 p.m. to reconvene February 25 at 2:00 p.m.

SIXTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 25, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brawley.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (110-2).

Leaves of absence are granted Representatives Blue, Rogers, C. Wilson, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 66, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 19, A BILL TO BE ENTITLED AN ACT TO INCREASE GIVING TO CHARITABLE NONPROFIT ORGANIZATIONS BY EXPANDING THE STATE CORPORATE INCOME TAX DEDUCTION FOR CHARITABLE CONTRIBUTIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 26.

H.B. 20, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS BY NONITEMIZERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 26.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 142, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO RECLASSIFY THE OFFENSE OF ACCESSORY AFTER THE FACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 144, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION THAT THE OFFENSE OF VOLUNTARY MANSLAUGHTER BE INCREASED FROM A CLASS E FELONY TO A CLASS D FELONY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE SECTIONS OF CHAPTER 106 OF THE NORTH CAROLINA GENERAL STATUTES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 26.

H.B. 96, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR MEDICINE USED ON LIVESTOCK AND POULTRY TO INCLUDE VETERINARY SUPPLIES, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Hill, Committee Amendment No. 1 is adopted by electronic vote (103-10).

The bill is ordered engrossed and re-referred to the Committee on Finance.

H.B. 210, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 240, A BILL TO BE ENTITLED AN ACT TO REMOVE THE MATCHING FUNDS REQUIREMENT FOR THE FUNDS APPROPRIATED IN 1996 TO CONDUCT AN ODOR CONTROL TECHNOLOGY STUDY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 42, A BILL TO BE ENTITLED AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 26.

H.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 26.

ADDENDA TO COMMITTEE ASSIGNMENTS

February 25, 1997

The Speaker makes the following committee assignments:

FINANCE: Add Representative Decker.

WAYS AND MEANS: Remove Representative McComas, add Representative Hardy.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Sutton, Blue, Bonner, Boyd-McIntyre, Hightower, Hill, Hurley, Redwine, Warner, and Yongue:

H.B. 314, A BILL TO BE ENTITLED AN ACT ABOLISHING THE VACANT OFFICE OF CORONER IN ROBESON COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Russell, Aldridge, Allred, Arnold, Baddour, Bowie, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Davis, Grady, Gulley, Hiatt, Hill, Mitchell, Morris, Nichols, Rayfield, Sexton, Starnes, Thompson, and C. Wilson:

H.B. 315, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR THE OPEN, FAIR, AND NONPOLITICAL SELECTION OF THE MOST QUALIFIED PERSONS FOR STATE GOVERNMENT EMPLOYMENT BY LIMITING POLITICAL HIRINGS, TO PROVIDE FOR BROADER PROTECTIONS FOR STATE EMPLOYEES REPORTING MISMANAGEMENT AND IMPROPER GOVERNMENT ACTIVITIES, AND TO PROVIDE FOR THE REPORTING OF CERTAIN HIRINGS AND OTHER MATTERS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, is referred to the Committee on State Government and, if favorable, to the Committee on Judiciary I.

By Representatives Russell, Aldridge, Allred, Arnold, Baddour, Bonner, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Davis, Grady, Gulley, Hiatt, Mitchell, Morris, Nichols, Rayfield, Sexton, Starnes, Thompson, and C. Wilson:

H.B. 316, A BILL TO BE ENTITLED AN ACT MODIFYING THE MANNER OF DESIGNATING POSITIONS AS EXEMPT FROM THE STATE PERSONNEL ACT, REQUIRING THE APPROVAL OF THE GENERAL ASSEMBLY BEFORE CERTAIN POSITIONS MAY BE DESIGNATED AS POLICY-MAKING CONFIDENTIAL POSITIONS EXEMPT FROM THE STATE PERSONNEL ACT, AND CHANGING THE TREATMENT OF POLICY-MAKING CONFIDENTIAL EMPLOYEES RELATIVE TO COVERAGE UNDER CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT, is referred to the Committee on State Government and, if favorable, to the Committee on Judiciary I.

By Representatives Gamble and Luebke:

H.B. 317, A BILL TO BE ENTITLED AN ACT TO PROVIDE A UNIFORM RULE FOR PARENT CORPORATIONS TO NET RELATED EXPENSES BEFORE DEDUCTING OR EXCLUDING SUBSIDIARY DIVIDENDS AND TO APPROPRIATE THE RESULTING REVENUES

FOR ALTERNATIVE SCHOOLS, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Dickson, Hackney, Howard, Sexton, Warwick, and Wright:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CANCER CONTROL, is referred to the Committee on Appropriations.

By Representative Carpenter:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HIGHLANDS TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Daughtry, Goodwin, and Warwick:

H.J.R. 320, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Preston, Baddour, Morris, and Warwick:

H.B. 321, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING HUNTING ON SUNDAY, is referred to the Committee on Judiciary I.

By Representative Weatherly:

H.J.R. 322, A JOINT RESOLUTION TO CREATE AN INDEPENDENT REDISTRICTING COMMISSION TO PREPARE A PLAN FOR NORTH CAROLINA'S CONGRESSIONAL DISTRICTS FOR THE 1998 ELECTIONS AND TO PROVIDE THAT THAT PLAN WILL BE VOTED ON BY THE GENERAL ASSEMBLY WITHOUT AMENDMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By the Committee on UNC Board of Governors and Representative Rayfield:

H.R. 323, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING A PROHIBITION ON NOMINATIONS FROM THE FLOOR, A REQUIREMENT THAT A NOMINEE RECEIVE THE VOTES OF A MAJORITY OF THE MEMBERS PRESENT AND VOTING IN THE NOMINEE'S CATEGORY IN ORDER TO BE ELECTED, AND TO PROVIDE THAT AT LEAST TWO PERSONS ON THE AT-LARGE BALLOT SHALL BE MEMBERS OF THE MAJORITY POLITICAL PARTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 58, A BILL TO BE ENTITLED AN ACT TO ADD BURKE, CALDWELL, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Judiciary I.

S.B. 64, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF THE TOWN COUNCIL TO ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 85, A BILL TO BE ENTITLED AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 51, A BILL TO BE ENTITLED AN ACT TO GIVE MUNICIPALITIES IN BUNCOMBE COUNTY GENERAL LAW POWERS

AS TO DOWNTOWN DEVELOPMENT PROJECTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 29,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM RAFFLE CASH PRIZES AND THE FAIR MARKET VALUE OF RAFFLE MERCHANDISE PRIZES.

Representative Mitchell offers Amendment No. 1 which is adopted by electronic vote (103-10).

The bill, as amended, passes its second reading, by electronic vote (106-6), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 221, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A MAGISTRATE OR OTHER AUTHORIZED JUDICIAL OFFICIAL IN A NONCAPITAL CASE TO CONDUCT AN INITIAL APPEARANCE BY A TWO-WAY AUDIO AND VIDEO PROCEEDING, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ELECTRONIC VOTE TIME CHANGE

Pursuant to Rule 20(c), the Chair directs the time for voting changed from 15 seconds to 10 seconds.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A

CLAIM OF RIGHT, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 137, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO ADD TO THE LIST OF AGGRAVATING FACTORS THAT CERTAIN PEOPLE WERE SERIOUSLY INJURED AS A RESULT OF THE OFFENSE, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 77, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO DISSOLVE CERTAIN AREA MENTAL HEALTH AUTHORITIES, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Nye, the House adjourns at 2:35 p.m. to reconvene February 26 at 2:00 p.m.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 26, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Watson.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (115-0).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE EIGHTY-SECOND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES, with a favorable report and recommendation that the bill be re-referred to the Committee on State Government.

The bill is re-referred to the Committee on State Government.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 59, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 106, A BILL TO BE ENTITLED AN ACT TO ENHANCE COMPLIANCE AND ENFORCEMENT OF EXISTING TAX LAWS BY APPROPRIATING FUNDS TO EXPAND THE NUMBER OF AUDITORS AND SUPPORT PERSONNEL IN THE INTERSTATE AUDIT DIVISION OF THE DEPARTMENT OF REVENUE, AND TO PROVIDE THAT PERSONNEL WHO ADMINISTER THE INSURANCE GROSS PREMIUMS TAX SHALL CONTINUE TO BE FUNDED FROM THE INSURANCE REGULATORY CHARGE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF TRINITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 27.

By Representative Davis for the Permanent Subcommittee on Business and Labor of the Standing Committee on Commerce:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF COMMERCE TO MAINTAIN A DATABASE OF DOWNTOWN PROPERTIES AVAILABLE FOR INDUSTRIAL RECRUITMENT, reported to the Standing Committee on Commerce, with a favorable recommendation, as amended.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 116, A BILL TO BE ENTITLED AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of February 27. The original bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 141, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN EMBEZZLEMENT OFFENSES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.R. 323, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING A PROHIBITION ON NOMINATIONS FROM THE FLOOR, A REQUIREMENT THAT A NOMINEE RECEIVE THE VOTES OF A MAJORITY OF THE MEMBERS PRESENT AND VOTING IN THE NOMINEE'S CATEGORY IN ORDER TO BE ELECTED, AND TO PROVIDE THAT AT LEAST TWO PERSONS ON THE AT-LARGE BALLOT SHALL BE MEMBERS OF THE MAJORITY POLITICAL PARTY, with recommendation that it be adopted.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 136, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEOCASSETTE TAPE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 202, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 28, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FIFTH MEMBER OF A COUNTY BOARD OF SOCIAL SERVICES TO

BE SELECTED BY MAJORITY VOTE OF THE FOUR OTHER MEMBERS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 101, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 105, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 280, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF THE TOWN COUNCIL TO ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of February 27.

H.B. 309, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO ISSUE TICKETS FOR OVERTIME PARKING ON CITY STREETS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Gamble:

H.B. 324, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS TO REPORT INFORMATION RELATING TO CERTAIN INCOME TAX DEDUCTIONS, is referred to the Committee on Finance.

By Representative Gamble:

H.B. 325, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representative Gamble:

H.B. 326, A BILL TO BE ENTITLED AN ACT TO PROVIDE A UNIFORM RULE FOR PARENT CORPORATIONS TO NET RELATED EXPENSES BEFORE DEDUCTING OR EXCLUDING SUBSIDIARY DIVIDENDS, is referred to the Committee on Finance.

By Representatives Mitchell, Brawley, Howard, and Sexton:

H.B. 327, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE CATEGORIES OF APPOINTEES TO AREA MENTAL HEALTH AUTHORITY BOARDS, is referred to the Committee on Human Resources.

By Representatives Arnold, Brawley, Cansler, Dedmon, Fitch, Goodwin, Moore, and Mosley:

H.B. 328, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, is referred to the Committee on Judiciary I.

By Representatives Brown, Buchanan, Davis, Nichols, Sexton, Smith, Tolson, and Warwick:

H.B. 329, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR SMALL FARM ASSISTANCE, is referred to the Committee on Appropriations.

By Representatives Brown, Adams, Culp, Davis, Jeffus, Nichols, Sexton, and Smith:

H.B. 330, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTING CERTAIN BUILDINGS AT THE PIEDMONT-TRIAD FARMERS MARKET, is referred to the Committee on Appropriations.

By Representatives Brown, Buchanan, Davis, Nichols, and Smith:

H.B. 331, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE ROLLINS ANIMAL DISEASE DIAGNOSTIC LABORATORY, is referred to the Committee on Appropriations.

By Representatives Brown, Buchanan, Culp, Davis, Nichols, Smith, Tolson, and Warwick:

H.B. 332, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FUTURE FARMERS OF AMERICA CENTER, is referred to the Committee on Appropriations.

By Representatives Culpepper and Brawley:

H.B. 333, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, is referred to the Committee on Judiciary II.

By Representatives Culp, Buchanan, Dedmon, Owens, Sexton, and Weatherly:

H.B. 334, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY, INC., is referred to the Committee on Appropriations.

By Representatives Nichols and Wainwright:

H.B. 335, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Eddins, Culp, Dedmon, R. Hunter, Sexton, and Starnes:

H.B. 336, A BILL TO BE ENTITLED AN ACT TO ALLOW TWO MEMBERS OF THE VICTIM'S FAMILY TO BE PRESENT AT AN EXECUTION, is referred to the Committee on Judiciary I.

By Representative Culp:

H.B. 337, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Culp, Baker, Barbee, Kiser, Starnes, Tallent, Warner, Weatherly, G. Wilson, and Yongue:

H.B. 338, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LICENSING REQUIREMENTS FOR CERTAIN PESTICIDE APPLICATORS, is referred to the Committee on Environment.

By Representatives Hurley and Morris (Co-Sponsors); Brawley, Sutton, Warner, and Yongue:

H.B. 339, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VOTERS OF THE CITY OF FAYETTEVILLE TO RECALL THE MAYOR AND CITY COUNCIL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Moore, Gardner, and McCombs:

H.B. 340, A BILL TO BE ENTITLED AN ACT PROVIDING THAT ROWAN COUNTY DOES NOT REQUIRE CONSENT PRIOR TO CERTAIN CONDEMNATIONS AND ACQUISITIONS BY THAT COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Alexander, Cunningham, Dickson, Earle, Easterling, Gulley, McMahan, Rayfield, and Saunders:

H.B. 341, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE CAPACITY OF THE GATLING JUVENILE DETENTION CENTER, is referred to the Committee on Appropriations.

By Representatives Alexander, Cunningham, Dickson, Earle, Easterling, Gulley, McMahan, Rayfield, and Saunders:

H.B. 342, A BILL TO BE ENTITLED AN ACT TO RAISE THE THRESHOLD FOR THE INFORMAL BIDDING PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE COUNTY OF MECKLENBURG, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Adams, Alexander, Cunningham, Earle, Easterling, Fitch, Goodwin, Hardaway, Hensley, R. Hunter, Jarrell, Jeffus, Luebke, McAllister, McCrary, Michaux, Mosley, Redwine, and Wainwright:

H.B. 343, A BILL TO BE ENTITLED AN ACT TO RAISE THE STATE MINIMUM WAGE IN ORDER TO INDEX IT TO INFLATION SINCE IT WAS LAST RAISED, is referred to the Committee on Commerce.

By Representatives Clary, Adams, Alexander, Cole, Dockham, Easterling, Hill, Hurley, Rayfield, Saunders, Watson, and Yongue:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Sherrill, Adams, Alexander, Arnold, Berry, Bowie, Boyd-McIntyre, Braswell, Clary, Dedmon, Earle, Easterling, Gardner, Goodwin, Howard, Kiser, McAllister, McComas, Moore, Morris, Mosley, Preston, Russell, Sexton, Smith, Thompson, Warwick, and G. Wilson:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PREVENTION AND PROGRAMS, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-YEAR WAITING PERIOD BEFORE FORMER LEGISLATORS AND FORMER MEMBERS OF THE COUNCIL OF STATE MAY BECOME LOBBYISTS, is read the first time and referred to the Committee on Judiciary I.

S.B. 33, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 47,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 98, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS, is read the first time and referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
February 26, 1997

Mr. Speaker:

It is ordered that a message be sent your Honorable Body notifying you of the election by the Senate, pursuant to **S.R. 88,** A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

AT-LARGE CATEGORY-FOUR YEAR TERM

G. IRVIN ALDRIDGE
RAY S. FARRIS
JIM PHILLIPS
JAMES BRADLEY WILSON

MINORITY RACE CATEGORY-FOUR YEAR TERM

BERT COLLINS
MAXINE O'KELLY

WOMAN CATEGORY

LOIS BRITT
HELEN RHYNE MARVIN

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CALENDAR

Action is taken on the following:

H.B. 42, A BILL TO BE ENTITLED AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Brown and without objection, **H.B. 61,** A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE SECTIONS OF CHAPTER 106 OF THE NORTH CAROLINA GENERAL STATUTES, is withdrawn from the Calendar and placed on the Calendar of March 4.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 35, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME ALLOWED GOVERNMENT ENTITIES AND NONPROFIT ENTITIES FOR CLAIMING SALES TAX REFUNDS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 19, A BILL TO BE ENTITLED AN ACT TO INCREASE GIVING TO CHARITABLE NONPROFIT ORGANIZATIONS BY EXPANDING THE STATE CORPORATE INCOME TAX DEDUCTION FOR CHARITABLE CONTRIBUTIONS, passes its second reading by electronic vote (105-10).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

H.B. 20, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS BY NONITEMIZERS, passes its second reading by electronic vote (104-11).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

On motion of Representative Morgan, seconded by Representative Kinney, the House adjourns at 3:20 p.m. to reconvene February 27 at 1:30 p.m.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 27, 1997

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Mosley.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-1).

Leaves of absence are granted Representatives Clary, Kinney, McAllister, and Neely for today. Representative Nesbitt is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 88, A BILL TO BE ENTITLED AN ACT TO GRANT SUBPOENA POWER TO THE STATE BOARD OF EDUCATION IN CASES INVOLVING THE SUSPENSION OR REVOCATION OF CERTIFICATES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I:

The bill is re-referred to the Committee on Judiciary I.

H.B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 272, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE INSTITUTIONS OF THE COMMUNITY COLLEGE SYSTEM TO OBTAIN REFUNDS OF SALES AND USE TAXES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Weatherly for the Committee on State Government:

H.B. 95, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A THREE-YEAR CYCLE FOR BUILDING CODE AMENDMENTS BEGINNING IN 1999 AND TO MAKE RELATED CHANGES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THE STATE BUILDING CODE, with a favorable report and recommendation that the bill be re-referred to the Committee on Commerce, Subcommittee on Business and Labor.

On motion of the Chair, the bill is re-referred to the Committee on Commerce.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO RELIEVE CONSUMERS OF THE REQUIREMENT OF FILING MONTHLY USE TAX RETURNS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 3.

H.B. 149, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO ACCOUNT FOR 911 SURCHARGES IN THEIR ANNUAL FINANCIAL STATEMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 3.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 97, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA

FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 248,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Crawford (by request) and Church:

H.B. 346, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ROANOKE RAPIDS TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Mercer, Alexander, Baddour, Beall, Buchanan, Cole, Culp, Culpepper, Cunningham, Dedmon, Fox, Gamble, Goodwin, Hackney, Hall, Hensley, Hightower, R. Hunter, Hurley, Jarrell, Luebke, Moore, Mosley, Nye, Oldham, Owens, Ramsey, Redwine, Saunders, Sexton, Smith, Sutton, Tolson, Wainwright, Warner, Warwick, Wilkins, and Yongue:

H.B. 347, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representatives Eddins and McMahan:

H.B. 348, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CIDER AND VINEGAR MANUFACTURER'S PERMIT TO BE ISSUED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

By Representatives Dickson, Cole, Culp, Eddins, Morris, and Rayfield:

H.B. 349, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NEW MOTOR VEHICLES NEED BE INSPECTED ONLY WHEN THEY ARE SOLD TO THE FIRST PURCHASER, is referred to the Committee on Transportation.

By Representatives Dickson and Morris:

H.B. 350, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH INSURANCE AND EMPLOYMENT BASED ON GENETIC INFORMATION, is referred to the Committee on Insurance.

By Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Church, Cole, Crawford, Culp, Culpepper, Cunningham, Dedmon, Dickson, Dockham, Easterling, Eddins, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Mosley, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Wilkins, G. Wilson, Womble, and Yongue:

H.B. 351, A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Wilkins, Crawford, Hardaway, and H. Hunter:

H.B. 352, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ERADICATE HYDRILLA IN LAKE GASTON, is referred to the Committee on Appropriations.

By Representatives Hensley, Allred, Culpepper, R. Hunter, and McCrary:

H.B. 353, A BILL TO BE ENTITLED AN ACT TO DECREASE THE PERIOD OF TIME IN DOMESTIC VIOLENCE CASES THAT A DEFENDANT MAY BE HELD IN CUSTODY WITHOUT A DETERMINATION OF PRETRIAL RELEASE BY A JUDGE, is referred to the Committee on Judiciary II.

By Representatives Hensley, Culpepper, R. Hunter, McCrary, and Neely:

H.B. 354, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT OF CERTIFIED MAIL NOTICE IN BOND FORFEITURE CASES, is referred to the Committee on Judiciary II.

By Representatives Hensley, Culpepper, R. Hunter, McCrary, and Neely:

H.B. 355, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CIVIL TRIAL IN DISTRICT COURT WILL NOT BE REPORTED UNLESS A PARTY REQUESTS REPORTING IN WRITING OR THE COURT ORDERS REPORTING, is referred to the Committee on Judiciary II.

By Representatives Tallent, Cole, McMahan, and Starnes:

H.B. 356, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE NONBANKING CONSUMER INDUSTRIES REGULATED BY THE OFFICE OF THE COMMISSIONER OF BANKS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Mitchell, Baker, Brown, Culp, Kiser, McCombs, Nichols, and Weatherly:

H.B. 357, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS IMPOSED BY GENERAL PERMITS FOR CERTAIN ANIMAL OPERATIONS, is referred to the Committee on Environment.

By Representatives Adams, Alexander, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Clary, Cole, Earle, Easterling, Esposito, Fitch, Goodwin, Hardaway, Jarrell, Jeffus, Luebke, McAllister, McCrary, Mosley, Preston, Russell, Sherrill, Shubert, Smith, Wainwright, Watson, and C. Wilson:

H.B. 358, A BILL TO BE ENTITLED AN ACT TO PROVIDE MEDICAID RECIPIENTS DIRECT ACCESS TO OBSTETRICIAN-GYNECOLOGISTS, is referred to the Committee on Insurance.

By Representatives Hill and Hall:

H.B. 359, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE ANALYSES OF SOILS AND PLANTS TO DETERMINE WHETHER ANIMAL WASTE IS BEING PROPERLY UTILIZED AFTER ITS LAND APPLICATION, is referred to the Committee on Appropriations.

By Representatives Hill and Hall:

H.B. 360, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRONOMIC ADVISORY SERVICES, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 70, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR REDUNDANT SCHOOL LAWS, TO TRANSFER THE STATUTES THAT ESTABLISH THE STATE SCHOOLS FOR HEARING- AND SIGHT-IMPAIRED STUDENTS FROM CHAPTER 115C TO CHAPTER 143B OF THE GENERAL STATUTES, TO STREAMLINE THE REPORTS OF THE STATE BOARD OF EDUCATION TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 71,** A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS, FOR THE REVIEW AND APPROVAL OF

CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, AND TO MAKE TECHNICAL CORRECTIONS REGARDING THE REVIEW BY THE LOCAL GOVERNMENT COMMISSION OF CERTAIN LEASES, LEASE PURCHASE CONTRACTS, AND INSTALLMENT PURCHASE CONTRACTS, is read the first time and referred to the Committee on Education.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State.

S.B. 27, AN ACT TO MAKE PROCEDURAL CHANGES IN THE CONFORMING LEGISLATION CONCERNING GUBERNATORIAL VETO. (S.L. 1997-1)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF TRINITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Clary, Kinney, McAllister, Neely, and Nesbitt - 5.

H.B. 280, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF THE TOWN COUNCIL TO ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 116,** A BILL TO BE ENTITLED AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 19, A BILL TO BE ENTITLED AN ACT TO INCREASE GIVING TO CHARITABLE NONPROFIT ORGANIZATIONS BY EXPANDING THE STATE CORPORATE INCOME TAX DEDUCTION FOR CHARITABLE CONTRIBUTIONS, passes its third reading, by electronic vote (99-10), and is ordered sent to the Senate.

H.B. 20, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS BY NONITEMIZERS.

On motion of Representative McMahan and without objection, the bill is postponed until March 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 66,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW.

Representative Weatherly calls the previous question on the passage of the bill and the call is sustained by electronic vote (100-6).

The bill passes its second reading, by electronic vote (101-8), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 210, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, passes its second reading, by electronic vote (104-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 240, A BILL TO BE ENTITLED AN ACT TO REMOVE THE MATCHING FUNDS REQUIREMENT FOR THE FUNDS APPROPRIATED IN 1996 TO CONDUCT AN ODOR CONTROL TECHNOLOGY STUDY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following resolution is placed on today's Calendar.

H.R. 323, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING A PROHIBITION ON NOMINATIONS FROM THE FLOOR, A REQUIREMENT THAT A NOMINEE RECEIVE THE VOTES OF A MAJORITY OF THE MEMBERS PRESENT AND VOTING IN THE NOMINEE'S CATEGORY IN ORDER TO BE ELECTED, AND TO PROVIDE THAT AT LEAST TWO PERSONS ON THE AT-LARGE BALLOT SHALL BE MEMBERS OF THE MAJORITY POLITICAL PARTY.

Representative Redwine offers Amendment No. 1.

Representative Daughtry moves, seconded by Representative Berry, that Amendment No. 1 be tabled. The motion fails by electronic vote (53-55).

Representative Redwine calls the previous question on the amendment and the call is sustained by electronic vote (72-31).

Amendment No. 1 fails, for lack of a majority, by electronic vote (54-54).

Representative Morgan calls the previous question on the adoption of the resolution, and the call is sustained by electronic vote (55-54).

The resolution is adopted, by electronic vote (55-53), and ordered printed.

On motion of Representative Morgan, seconded by Representative Braswell, the House adjourns at 2:38 p.m. to reconvene Monday, March 3, 1997, at 7:00 p.m.

NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 3, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Hiatt.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Clary and Grady for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 320, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on today's Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO REPEAL RESTRICTIONS ON HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 4.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 139, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEX OFFENDER REGISTRATION LAW TO CLARIFY THAT PERSONS CONVICTED OF SEX OFFENSES IN FEDERAL COURT ARE REQUIRED TO REGISTER, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 162, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO INCREASE THE CRIMINAL PENALTY FOR THE SALE OF CERTAIN CONTROLLED SUBSTANCES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 267, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FROM A MISDEMEANOR TO A CLASS G FELONY FOR THE OFFENSES OF FALSELY REPORTING THAT A BOMB OR OTHER DESTRUCTIVE DEVICE MAY EXPLODE AND PERPETUATING A HOAX BY USING A FALSE DESTRUCTIVE DEVICE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 4.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Culp, Barbee, Bonner, Brown, Buchanan, Carpenter, Church, Cole, Dockham, Eddins, Fox, Gulley, Hardaway, Hightower, Hill, McComas, McCrary, Morris, Rayfield, Rogers, Sexton, Tallent, Thompson, Weatherly, G. Wilson, and Yongue:

H.B. 361, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FOREST RESOURCES DIVISION OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR A FORESTRY CLASSIFICATION STUDY AND OTHER PERSONNEL ACTIVITIES, is referred to the Committee on Appropriations.

By Representatives Sutton, Blue, Bonner, Boyd-McIntyre, Goodwin, Hightower, Hill, Redwine, Warwick, and Yongue:

H.B. 362, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMPLETION OF THE SOUTHEASTERN FARMERS' MARKET AND AGRICULTURAL CENTER, is referred to the Committee on Appropriations.

By Representatives Gardner, Buchanan, Morris, Sexton, Starnes, and Watson:

H.B. 363, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM INTERSTATE FAMILY SUPPORT ACT AS APPROVED BY THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS AND AS REQUIRED BY THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996, is referred to the Committee on Welfare Reform.

By Representatives Brown, Buchanan, Smith, Warwick, Watson, G. Wilson, and Yongue:

H.B. 364, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR CAPITAL

IMPROVEMENTS AT THE CENTER FOR ENVIRONMENTAL FARMING SYSTEMS, is referred to the Committee on Appropriations.

By Representatives Brown, Buchanan, Smith, Warwick, Watson, G. Wilson, and Yongue:

H.B. 365, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR ENVIRONMENTAL FARMING RESEARCH, is referred to the Committee on Appropriations.

By Representatives Brown, Buchanan, Mosley, Smith, Warwick, Watson, G. Wilson, and Yongue:

H.B. 366, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR ENVIRONMENTAL PROTECTION IN PESTICIDE APPLICATION, is referred to the Committee on Appropriations.

By Representative H. Hunter:

H.B. 367, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COUNTIES OF GATES, HERTFORD, AND NORTHAMPTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Owens and H. Hunter:

H.B. 368, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Weatherly, Buchanan, Carpenter, Culp, Dickson, Gray, Gulley, Kiser, Rayfield, Watson, and Yongue:

H.B. 369, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR THE BUSINESS DEVELOPMENT PROGRAM, is referred to the Committee on Appropriations.

By Representatives Weatherly, Buchanan, Carpenter, Culp, Dickson, Grady, Gulley, Hardy, Kiser, Mitchell, Morris, Preston, and Rayfield:

H.B. 370, A BILL TO BE ENTITLED AN ACT TO PROVIDE PARTIAL SALES TAX REFUNDS FOR MANDATED PURCHASES OF WORKER SAFETY EQUIPMENT, is referred to the Committee on Finance.

By Representatives Jarrell and Dockham (Co-Sponsors); and Adams:

H.J.R. 371, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES ERWIN LAMBETH, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander, Church, Cunningham, Dickson, Earle, Easterling, Gulley, McMahan, Rayfield, Saunders, and C. Wilson:

H.B. 372, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO RETAIN POSSESSION OF TOWED VEHICLES UNTIL THE OWNER PAYS THE TOWING FEE AND OVERDUE TICKETS OR POSTS A BOND, is referred to the Committee on Local and Regional Government II.

By Representative Starnes:

H.B. 373, A BILL TO BE ENTITLED AN ACT TO REQUIRE ANNEXATION IN CALDWELL COUNTY BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THAT COUNTY BE APPROVED BY REFERENDUM, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Baddour, Bonner, Bowie, Braswell, Buchanan, Cole, Dedmon, Earle, Goodwin, Gulley, Hackney, Hardy, Hightower, R. Hunter, Jeffus, Luebke, McAllister, McCrary, Mercer, Miller, Moore, Morris, Mosley, Nesbitt, Rayfield, Redwine, Russell, Saunders, Sexton, Smith, Sutton, Warner, Warwick, Watson, Wilkins, and Yongue:

H.B. 374, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT TO INCREASE THE ALLOWABLE EXPENSE FOR FUNERALS AND TO MAKE VICTIMS OF HIT AND RUN ACCIDENTS AND VICTIMS OF TERRORISM ELIGIBLE FOR COMPENSATION, is referred to the Committee on Judiciary II.

By Representatives Redwine and Reynolds (Co-Sponsors); Hackney and Sutton:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA, is referred to the Committee on Environment and, if favorable, to the Committee on Finance.

By Representatives Luebke, Michaux, Miller, Capps, and Mosley (Co-Sponsors):

H.J.R. 376, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THE EARLY SUPPORTERS OF THE DURHAM PUBLIC LIBRARY ON THE LIBRARY'S ONE HUNDREDTH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hill and Redwine:

H.B. 377, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE BUSINESS/INDUSTRY SKILLS TRAINING CENTER AT THE SOUTHEASTERN COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representative Wood (by request):

H.B. 378, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HIGH POINT TO DELEGATE ZONING POWERS TO THE HIGH POINT PLANNING AND ZONING COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wood and Sexton:

H.B. 379, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS, is referred to the Committee on Education and, if favorable, to the Committee on Judiciary II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 79, A BILL TO BE ENTITLED AN ACT TO REPEAL MORE ANTIQUATED LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 95, A BILL TO BE ENTITLED AN ACT TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE DECEMBER 31, 1996, is read the first time and referred to the Committee on Judiciary I.

S.B. 142, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS, is read the first time and referred to the Committee on Commerce.

CALENDAR

Action is taken on the following:

H.J.R. 320, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

Representative Sexton states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (109-1).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 236,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF TRINITY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown,

Buchanan, Cansler, Capps, Carpenter, Church, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Clary and Grady - 2.

H.B. 59, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representatives Allred and Wood - 2.

Excused absences: Representatives Clary and Grady - 2.

H.B. 36, A BILL TO BE ENTITLED AN ACT TO RELIEVE CONSUMERS OF THE REQUIREMENT OF FILING MONTHLY USE TAX RETURNS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 149, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO ACCOUNT FOR 911 SURCHARGES IN THEIR ANNUAL FINANCIAL STATEMENTS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of March 3 are introduced to the membership. They are: Tysa Mandy Banks of Madison; John William Daniels of Carteret; Byron Randall Deloatch of Northampton; Jessica Holley DeMicco of Randolph; Brian Nelson Godfrey of Moore; Jordan Lawrence Googe of Davidson; Jennifer Guy of Cumberland; Shanna Hiatt of Surry; Ruffin William Jarman of Wake; Kristen Grace Jarrell of Surry; Misti Amber Johnson of Harnett; Jacqueline Kannan of Wayne; Fiona Lawrence of Hertford; Allie Jackson Mims of Johnston; Elizabeth Beaton Mohn of Cumberland; Travis Brantley Moore of Davidson; Adam Brett Nicely of Moore; Michael Adam Owens of Gates; Michael A. Patterson of Wake; Preston Kenith Perdue of Randolph; Jennifer Gaye Rouse of Sampson; Elisabeth Kirby Sanders of Harnett; Terry Scott Sholar of Halifax; Rebecca Lynn Smith of Halifax; Scarlett Olivia Smith of Cumberland; Anna Catherine Sweeting of Johnston; and Wardie Pernell Vincent, Jr. of Northampton.

On motion of Representative Morgan, seconded by Representative Beall, the House adjourns at 7:29 p.m. to reconvene March 4 at 2:00 p.m.

TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 4, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Shubert.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 3 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (109-1).

Leaves of absence are granted Representatives Clary, Dockham, and Grady for today.

ENROLLED BILL

The following bill and resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 34, AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF CATAWBA.

H.J.R. 320, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE. (RESOLUTION 2)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 203, A BILL TO BE ENTITLED AN ACT TO SUPPLEMENT CLARK'S CALENDAR, WHICH MAY BE INTRODUCED IN EVIDENCE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 218, A BILL TO BE ENTITLED AN ACT TO RECONFORM THE MILEAGE REIMBURSEMENT FOR OUT-OF-STATE WITNESSES

TO THAT RECEIVED BY IN-STATE WITNESSES AND STATE EMPLOYEES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 86, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO TWO SECTIONS OF THE GENERAL STATUTES IN NEED OF PROMPT CORRECTIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 78, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHO IS EXEMPT FROM THE PUBLIC SCHOOL ADMINISTRATOR EXAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 87, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 5.

Committee Substitute for **S.B. 71,** A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS, FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROANOKE RAPIDS TO DONATE UNCLAIMED BICYCLES TO CHARITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 5.

H.B. 69, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF ROANOKE RAPIDS PROVISIONS OF A LOCAL ACT WHICH PROVIDES THAT SERVICE OF COMPLAINTS OR ORDERS ISSUED IN HOUSING CODE CASES IS SUFFICIENT WHERE THE COMPLAINTS OR ORDERS ARE SENT BY REGISTERED OR CERTIFIED MAIL IN CONJUNCTION WITH REGULAR MAIL AND THE REGISTERED OR CERTIFIED MAIL IS RETURNED, BUT THE REGULAR MAIL IS NOT RETURNED WITHIN TEN DAYS AFTER MAILING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 5.

H.B. 70, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 5.

H.B. 71, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 281, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ALEXANDER COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 5.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND REDUCE INHERITANCE TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 57, A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 5.

S.B. 33, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRAL

Representatives Howard and Aldridge, Co-Chairs, for the Standing Committee on Human Resources, refer **H.B. 145,** A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, to the Permanent Subcommittee on Families.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Nichols and Buchanan:

H.B. 380, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IRREVOCABLE LETTERS OF CREDIT MAY BE SUBSTITUTED FOR REQUIRED BONDS ON HIGHWAY CONTRACTS, is referred to the

Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Wood and Watson:

H.B. 381, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST APPROVED CHARTER SCHOOLS TO MEET THEIR START-UP COSTS, is referred to the Committee on Appropriations.

By Representatives McComas, Allred, Miner, Watson, and C. Wilson:

H.B. 382, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOBBYISTS MAY NOT GIVE TO CANDIDATES FOR CERTAIN OFFICES AT ANY TIME, AND TO PROVIDE THAT LOBBYISTS MAY NOT ADVISE POLITICAL ACTION COMMITTEES AS TO HOW TO DISTRIBUTE THEIR FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Mosley:

H.B. 383, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A PUBLIC LIBRARY IN THE TOWN OF MORRISVILLE, is referred to the Committee on Appropriations.

By Representatives Mosley, Adams, and Moore:

H.B. 384, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ESTABLISHING THE CARY MUSEUM, is referred to the Committee on Appropriations.

By Representatives Yongue, Bonner, and Watson:

H.B. 385, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SALMONELLA TESTING OF MEAT FOOD PRODUCTS, is referred to the Committee on Appropriations.

By Representatives Yongue, Bonner, and Watson:

H.B. 386, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS TO THE DEPARTMENT'S AUTOMATED INFORMATION SERVICES AND FOR TECHNICAL SUPPORT, is referred to the Committee on Appropriations.

By Representative Daughtry:

H.B. 387, A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representative Nichols:

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE IS A REBUTTABLE PRESUMPTION THAT A PERSON WHO ENTERS OR REMAINS ON THE PREMISES OF ANOTHER FOR A PURPOSE THAT IS NOT IN THE ORDINARY COURSE OF BUSINESS INTENDS TO TRESPASS, TO AMEND THE OFFENSE OF TRESPASS FOR PURPOSES OF HUNTING, ETC., TO ELIMINATE THE REQUIREMENT THAT PROPERTY BE POSTED, AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Judiciary I.

By Representatives Rayfield, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gulley, Hall, Hardy, Hiatt, Hill, Holmes, Ives, Justus, Kiser, McComas, McCombs, Mitchell, Moore, Morris, Nichols, Nye, Owens, Preston, Ramsey, Reynolds, Sexton, Sherrill, Shubert, Starnes, Tolson, Wainwright, Watson, Weatherly, G. Wilson, and Wood:

H.B. 389, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE, is referred to the Committee on Judiciary I.

By Representatives Bowie and Jarrell (Co-Sponsors); Adams, Boyd-McIntyre, Jeffus, and Wood:

H.B. 390, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HIGH POINT TO DELEGATE ZONING POWERS TO THE HIGH POINT PLANNING AND ZONING COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jarrell and Bowie (Co-Sponsors); Adams, Boyd-McIntyre, Goodwin, Jeffus, and Wood:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL RETIRED HIGH POINT FIREMEN TO RECEIVE PENSION BENEFITS, is referred to the Committee on Local and Regional Government II.

By Representatives Crawford, Creech, Esposito, and Holmes:

H.B. 392, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Crawford, Creech, Esposito, and Holmes:

H.B. 393, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES AND OTHER PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jarrell and Jeffus (Co-Sponsors); Adams, Allred, Gardner, Goodwin, Hensley, Moore, Mosley, Watson, Wood, and Yongue:

H.B. 394, A BILL TO BE ENTITLED AN ACT TO MAKE ORGANIZED DOGFIGHTING A FELONY, is referred to the Committee on Judiciary I.

By Representatives Gulley, Allred, Cunningham, Dickson, Earle, Goodwin, McMahan, Moore, Rayfield, Starnes, and C. Wilson:

H.B. 395, A BILL TO BE ENTITLED AN ACT TO ALLOW LEFT TURNS ON RED IN CERTAIN SITUATIONS IN MECKLENBURG COUNTY, is referred to the Committee on Judiciary II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 84, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE WITHIN THE CANALS AND WATERWAYS OF THE EIGHT AND ONE-HALF MARINA CONDOMINIUMS IN THE TOWN OF ATLANTIC BEACH, is read the first time and referred to the Committee on Ways and Means.

S.B. 105, A BILL TO BE ENTITLED AN ACT TO ADD ALLEGHANY AND ROCKINGHAM COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 106, A BILL TO BE ENTITLED AN ACT TO ALLOW REGIONAL SALES OF PERSONAL PROPERTY SEIZED FOR UNPAID TAXES TO BE HELD IN ANY COUNTY, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 110,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ENVIRONMENTAL CABINET WITHIN THE OFFICE OF THE GOVERNOR, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 121, A BILL TO BE ENTITLED AN ACT TO INCLUDE BUNCOMBE, MADISON, MCDOWELL, AND YANCEY COUNTIES IN THE STATEWIDE SEASONS FOR TAKING BEAVER, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 140, A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment.

S.B. 186, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN ALLEGHANY COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 199, A BILL TO BE ENTITLED AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES, is read the first time and referred to the Committee on Election Law and Campaign Reform and, if favorable, to the Committee on Judiciary I.

S.B. 229, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VOTERS OF THE CITY OF FAYETTEVILLE TO RECALL THE

MAYOR AND CITY COUNCIL, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 134, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED ARTICLE 8 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

ESCORT COMMITTEE APPOINTED

The Speaker appoints the following members as an Escort Committee for the Chief Justice, pursuant to **H.J.R. 320,** A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE: Representatives Neely, Hardy, Daughtry, Fitch, Blue, and Hensley.

The Senate is so notified by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 106,** A BILL TO BE ENTITLED AN ACT TO ENHANCE COMPLIANCE AND ENFORCEMENT OF EXISTING TAX LAWS BY APPROPRIATING FUNDS TO EXPAND THE NUMBER OF AUDITORS AND SUPPORT PERSONNEL IN THE INTERSTATE AUDIT DIVISION OF THE DEPARTMENT OF REVENUE, AND TO PROVIDE THAT PERSONNEL WHO ADMINISTER THE INSURANCE GROSS PREMIUMS TAX SHALL CONTINUE TO BE FUNDED FROM THE INSURANCE REGULATORY CHARGE, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO REPEAL RESTRICTIONS ON HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 59, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Insko.

Excused absences: Representatives Clary, Dockham, and Grady - 3.

H.B. 20, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS BY NONITEMIZERS, passes its third reading, by electronic vote (108-6), and is ordered sent to the Senate.

H.B. 61, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE SECTIONS OF CHAPTER 106 OF THE NORTH CAROLINA GENERAL STATUTES.

On motion of Representative Culp, Committee Amendment No. 1 is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 202,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 28, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FIFTH MEMBER OF A COUNTY BOARD OF SOCIAL SERVICES TO BE SELECTED BY MAJORITY VOTE OF THE FOUR OTHER MEMBERS.

On motion of Representative Insko, Committee Amendment No. 1 is adopted by electronic vote (114-1).

The bill, as amended, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

NORTH CAROLINA HOUSE OF REPRESENTATIVES

Office of the Speaker

TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES

Section 1. Pursuant to the authority vested in me by Resolution 1 of the North Carolina House of Representatives, Session 1997, Section V, Rule 26(a), and Article 5(A), Section 120-19.1 et seg., of the North Carolina General Statutes, I do hereby establish:

THE SELECT COMMITTEE FOR PERSONNEL REVIEW

The following members of the North Carolina House of Representatives are appointed as members of this Select Committee:

Representative Carolyn B. Russell - Chair
Representative Gregg Thompson
Representative Joe Kiser
Representative Gene Arnold
Representative Russell Capps
Representative Wilma Sherrill
Representative Walter Church
Representative Stan Fox
Representative Flossie Boyd-McIntyre

Section 2. It shall be the duty of this Select Committee to examine witnesses, documents and any other information as it may deem necessary concerning the application, administration, practice, or violation of Chapter 126 of the General Statutes of North Carolina or any other statutes or applicable law relative to the rights, duties and obligations of any employee of the State of North Carolina, including, but not limited to:

(a) The examination of allegations of abuse in the administration of the State Personnel System in particular as it relates to Article 5 of Chapter 126 of the General Statutes.

(b) The selective application of reductions in force to individual employees not otherwise subject to dismissal for cause or by exemption from the State Personnel Act.

(c) The review of issues and policies being considered before the State Personnel Commission, Public Employees Committee, State Employees Association and the Office of State Personnel.

(d) The development of legislation to reform, streamline, and make more efficient the State Personnel Act and its administration, with particular emphasis on departmental flexibility, the equitable treatment of state employees, downsizing personnel administration, and the integration of personnel policies more consistent with those employed in the private sector.

Section 3. The Select Committee shall submit an interim report to the 1997 Second Session and a final report of its findings and recommendations to the 1999 Regular Session of the General Assembly by filing a final report of its findings and recommendations with the Speaker of the House of Representatives on or before December 31, 1998. The final report shall contain the findings, recommendations, and any legislative proposals of the Select Committee.

Section 4. The Select Committee is hereby vested with all of the authority set out in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, the issuance of subpoenas pursuant to N.C.G.S. 120-19.2(c), and to request data and information pursuant to N.C.G.S. 120-19.

Section 5. If requested by a witness or by a majority of the Select Committee, the Committee may meet in closed session solely for the purposes set out in N.C.G.S. 143-318.11(a) (1) (3) (6) and (7).

Section 6. The Select Committee is authorized to meet during sessions of the General Assembly, during recesses, and in the interim periods between sessions, upon the call of its' Chair.

Section 7. Members of the Select Committee shall receive per diem, subsistence and travel allowance at the rate established in 120-3.1.

Section 8. The expenses of the Select Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to N.C.G.S. 120-32.02(c) and 120-35 from funds available to the House of Representatives for its operations.

Section 9. The members of this Select Committee serve at the pleasure of the Speaker of the House who may dissolve the Select Committee at any time before 31 December 1998, at which time this Select Committee shall dissolve.

Effective this 4th day of March 1997.

S/ Harold J. Brubaker
Speaker of the North Carolina House of Representatives

Attest:
S/ Denise Weeks
Principal Clerk

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 267, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FROM A MISDEMEANOR TO A CLASS G FELONY FOR THE OFFENSES OF FALSELY REPORTING THAT A BOMB OR OTHER DESTRUCTIVE DEVICE MAY EXPLODE AND PERPETUATING A HOAX BY USING A FALSE DESTRUCTIVE DEVICE.

On motion of Representative Daughtry, Committee Amendment No. 1 is adopted by electronic vote (115-0). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (115-0). The caption having been amended, the bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
March 4, 1997

Mr. Speaker:

Pursuant to **H.J.R. 320,** A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the Deputy President Pro Tempore announces a committee appointed by the President Pro Tempore on the part of the Senate to escort the Chief Justice to the Joint Session in the Hall of the House of Representatives Wednesday, March 5, 1997, at 2:00 p.m.

Senator Martin of Guilford, Chairman
Senator Rand
Senator Cooper
Senator Lucas
Senator Allran
Senator Ballantine

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

On motion of Representative Morgan, seconded by Representative Decker, the House adjourns at 2:53 p.m., in memory of former Representative Russell A. Swindell, to reconvene March 5 at 1:45 p.m.

TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 5, 1997

The House meets at 1:45 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Russell.

Representative Morgan, for the Committee on Rules, Calendar, and

Operations of the House, reports the Journal of March 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Brawley, Mosley, Redwine, and Tallent for today. Representative Ellis is excused for a portion of the session.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 34, AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF CATAWBA. (S.L. 1997-2)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Hill, Eddins, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CONSTRUCTION OF (1) NEW ANIMAL WASTE MANAGEMENT SYSTEMS THAT MUST BE PERMITTED AND (2) EXPANSIONS OF SUCH EXISTING SYSTEMS IN A LOCATION THAT IS SUBJECT TO FLOODING BY A ONE-HUNDRED-YEAR FLOOD, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 138, A BILL TO BE ENTITLED AN ACT GRANTING ENFORCEMENT OFFICERS OF THE DIVISION OF MOTOR VEHICLES THE AUTHORITY TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR

PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT AGENCY HAS REQUESTED THEIR ASSISTANCE, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Judiciary I.

On motion of Representative McComas, Committee Amendment No. 1 is adopted by electronic vote (105-0).

The bill is ordered engrossed and re-referred to the Committee on Judiciary I.

H.B. 178, A BILL TO BE ENTITLED AN ACT TO EXTEND THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS AND TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 250, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE COLLECTION OF AN EMISSIONS PENALTY IN THE LIST OF ITEMS FOR WHICH BRANCH AGENTS OF THE DIVISION OF MOTOR VEHICLES ARE COMPENSATED, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

By Representative Culp for the Committee on Public Employees:

H.B. 308, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT A PROVISION ALLOWING SAVINGS IN EMPLOYER FICA CONTRIBUTIONS TO BE USED TO PAY FOR ADMINISTRATIVE EXPENSES OF FLEXIBLE COMPENSATION PROGRAMS FOR STATE EMPLOYEES AND EMPLOYEES OF EDUCATIONAL INSTITUTIONS SUPPORTED BY THE STATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Aldridge and Howard, Co-Chairs, for the Committee on Human Resources:

H.B. 143, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ANNUAL AUDITED REPORTS ARE TO BE SUBMITTED BY ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO REPEAL AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 6.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ADD GUILFORD, ROCKINGHAM, AND STOKES COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHO-PHOTOGRAPHY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 6.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 272, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE INSTITUTIONS OF THE COMMUNITY

COLLEGE SYSTEM TO OBTAIN REFUNDS OF SALES AND USE TAXES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Holmes, Crawford, Creech, and Esposito:

H.B. 396, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holmes, Crawford, Creech, and Esposito:

H.B. 397, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES AND OTHER PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hiatt, Baker, Gamble, Ramsey, and G. Wilson:

H.J.R. 398, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BASIL DUKE BARR, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Hackney, and Culp (Co-Sponsors); Alexander, Bonner, Cunningham, Easterling, Goodwin, Hall, Hightower, Jarrell, Jeffus, Luebke, Michaux, Moore, Mosley, Nichols, Oldham, Saunders, Wainwright, Warwick, Watson, Womble, and Yongue:

H.B. 399, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ENGLISH AS A SECOND LANGUAGE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Tallent and Ramsey:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Dickson and Dedmon:

H.B. 401, A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Smith and Goodwin:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INFRACTION MAY BE EXPUNGED FROM A PERSON'S RECORD, is referred to the Committee on Judiciary II.

By Representatives Esposito, Crawford, Creech, and Holmes:

H.B. 403, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES AND OTHER PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Esposito, Crawford, Creech, and Holmes:

H.B. 404, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cunningham, Alexander, Black, Earle, Easterling, Gulley, H. Hunter, McMahan, Rayfield, Saunders, and C. Wilson:

H.B. 405, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SIX-PRESCRIPTION LIMIT FOR MEDICAID RECIPIENTS, is referred to the Committee on Insurance.

By Representatives Baddour and Russell (Co-Sponsors); Aldridge, Bonner, Bowie, Braswell, Dedmon, Earle, Goodwin, R. Hunter, Hurley, Jarrell, Jeffus, Mercer, Moore, Morris, Mosley, Preston, Redwine, Saunders, Tolson, Warwick, G. Wilson, and Yongue:

H.B. 406, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO ADOPT ORDINANCES THAT IMPOSE A CURFEW ON PERSONS UNDER THE AGE OF EIGHTEEN, is referred to the Committee on Judiciary II.

By Representatives Baddour and Culpepper (Co-Sponsors):

H.B. 407, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, is referred to the Committee on Judiciary II.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT;

H.B. 65, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON;

H.B. 101, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION; and

H.B. 105, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House stands ready to receive them in Joint Session at the hour appointed.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
March 5, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that pursuant to **H.J.R. 320,** A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Dennis Wicker, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Judge and Judges of the Court of Appeals, who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Associate Justices of the Supreme Court, who are seated in a body for the Joint Session.

The Speaker extends the courtesies of the gallery to Mrs. Burley Mitchell, wife of the Chief Justice, and courtesies of the floor to all invited guests.

The Speaker relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms announces the approach of the Chief Justice of the Supreme Court. His Honor, Burley B. Mitchell, Jr., enters escorted by Senators Martin of Guilford, Rand, Lucas, Cooper, Allran, and Ballantine; and Representatives Daughtry, Fitch, Neely, Hardy, Blue, and Hensley.

The President recognizes Senator Martin of Guilford who presents His Honor, Burley B. Mitchell, Jr., Chief Justice of the Supreme Court of North Carolina to the Joint Assembly.

STATE OF THE JUDICIARY ADDRESS

"President Wicker, Speaker Brubaker, President Pro Tempore Basnight, Senators and Representatives, all distinguished guests, and ladies and gentlemen:

"I thank you for again inviting me to address you on the state of the Judicial Branch of our government. My address today symbolizes the constitutional independence of the Legislative and Judicial Branches, but it also symbolizes our practical interrelationship.

"As I look around this chamber today at this great General Assembly, I see many friends of long-standing -- both Republicans and Democrats -- who have given invaluable assistance to the Judiciary and friendship to me personally over the years. You have helped to put me at ease every time my duties have brought me to this building as Chief Justice and I thank each and every one of you for your courtesy and your friendship to me.

"One of my goals as Chief Justice is to improve communications between the Judicial Branch of government and the Legislative Branch. For that reason, over the last two years we have invited each of you to spend a day or more with your local judges as they perform their duties. I am constantly amazed at how much actual work is done in our courts, sometimes under very difficult working conditions. If you have not yet done so, I encourage each of you to accept our offer to spend some time with your local judges to observe their problems and to explain to them some of the problems you face.

"We do not want to limit our communications with you to these legislative sessions. Limited communications through the years have caused the Judicial Branch to be treated as just one more statutory agency of government mentioned in passing in the Governor's budget. As a result, the requests of the Judicial Branch often have not received the consideration that requests of a separate but equal branch of government should receive.

"We, in the Judiciary, bear a large part of the responsibility for this situation, because historically we have perhaps been too fiscally conservative. By that, I mean that we have not adequately anticipated and communicated to you our future needs. Instead, we have tended, as today, to wait until our needs have reached near crisis proportions before we have asked for your help. I pledge to you that from this session forward, we will attempt to more accurately predict our needs and inform you of our future needs.

"The State of the Judiciary in March of 1997 presents, at best, a mixed picture. I'll first mention just briefly a sample of some of the initiatives we have undertaken, with your help, which are working. I really want to share your success stories with you.

"In 1995, we established, with your help, a new criminal case management system in two pilot districts -- District 12, which is Cumberland County, and District 13, which is Bladen, Brunswick, and Columbus Counties. I'm happy to tell you that both are working very well. Each month one special week of administrative court is held in the superior courts of those districts to keep all pending cases actually moving toward trial. The resulting efficiency has led to substantial reductions in the pending cases in those districts. For example, felony cases pending in Superior Court in Cumberland County were reduced by over 9 percent in fiscal year 1995-96. This was truly phenomenal, given the fact that in the same period, case filings there increased by 20 percent. In light of such success, we are implementing this new case management system in most of the districts of the state.

"Our experimental drug treatment courts continue to be a success. With your help, we expanded those courts to five judicial districts since last I spoke to you. Alcohol and drug abuse continue to be the single largest factor in our criminal cases in North Carolina, as in the rest of the nation. These drug treatment courts have allowed us to require that whether defendants are put in prison or on probation, they will participate in mandatory drug or alcohol treatment programs and regular testing. Each time one of these courts has a success, a person is diverted from the

revolving door of substance abuse, followed by criminal charges, followed by more substance abuse. These people become taxpayers rather than tax burdens. This program is performing well and the credit is to you.

"The child custody mediation program is now operating in 17 district court districts. Under this program, a neutral party sits down with parents and tries to convince them to overcome their adversarial relationship and to attempt to agree in a calm manner what is in the best interest of their children. We have experienced a 56 percent rate of voluntary settlement of the child custody cases which have been a part of this program. Not only does this reduce our pending domestic court backlogs, it also provides for the best interests of these North Carolina children in a nonconfrontational setting.

"We have also experienced some successes in the area of technology, even though we are woefully behind and have far to go. Our financial management computer program used by our Clerks of Court in their bookkeeping functions is in place in 88 counties.

"We have also created a new computer program for District Attorneys and Public Defenders. It will allow for scheduling of cases in our prosecutors' and defenders' offices and it will let them take advantage of data already entered by Clerks of Court and others without the waste of time involved in having to repeatedly re-enter the same information manually. We hope to eventually install it in all of our districts.

"Our civil case processing system is a similar computer program that allows us to better manage our civil cases. It will provide attorneys and the public with quick access to detailed information regarding the current status of civil cases. Very importantly, it will allow judges to know of attorney conflicts anywhere in the state, so that we can avoid conflicting calendaring of cases involving the same attorneys.

"Although I am proud of our successes, I cannot let them hide the reality of our shortcomings. Many of our problems have been documented in the recent report entitled 'Without Favor, Denial or Delay -- A Court System for the 21st Century'. This report was submitted to you last December by the Commission for the Future of Justice and the Courts, chaired by John Medlin, former Chief Executive Officer and present Chairman of the Board of the Wachovia Corporation. That report reviews the present status of the courts and makes detailed recommendations for restructuring our entire court system to meet the challenges of the twenty-first century. The entire report is very thoughtful and very thought-

provoking and is worthy of your most serious consideration, and I will discuss that report with you at other times during your session this year. In particular, I think the section on technology demonstrates that our courts are at least fifteen years behind where they should be in computerization, and it spells out with complete accuracy what must be done to bring us into the modern world.

"The commission accepted and performed the task of outlining the needs of our courts in the twenty-first century. My task today, however, is to inform you of the severe immediate needs of our courts. I will now turn to that task.

"Please bear in mind, ladies and gentlemen, that the only duty placed upon the judicial branch of our government by our Constitution is the disposition of civil and criminal cases through our courts. This fundamental or core constitutional duty is and must be our first concern, despite the fact that this General Assembly has, for better or worse, assigned us many other duties. I want to focus the rest of my remarks on this core function and how we're performing.

"When I made my last State of the Judiciary speech in 1995, I had just temporarily halted the constitutionally required rotation of Superior Court Judges from district to district and had sent them all back to their home districts for three months to deal with their backlog of cases. I did the same thing again in 1996, sending them to their home districts for six months. As a result of these and other short-term efforts, we were able, during fiscal year 1994-95, to significantly reduce the number of felonies pending in our Superior Courts for the first time in history -- more than 14% in that one year of reductions. We again reduced the number of felonies pending in our Superior Courts in fiscal year 1995-96. I am proud of these achievements. Our trial courts did all of this with almost no additional personnel or resources.

"Unfortunately, I have now run out of every short-term technique for increasing our case dispositions that I have learned over nearly thirty years in our trial and appellate courts. Compounding this problem, and equally alarming, is the fact that almost every week of the last year I used all of our judicial resources. Each week, in addition to our active judges, I have assigned every one of our retired emergency judges to hold court, yet we are beginning to fall behind again.

"When looking at all of our district and superior court cases, both civil and criminal, the problem becomes clear. In fiscal year 1995-96, we

disposed of more total cases, well over 2 ½ million, than in any other year in the history of North Carolina's courts. But in that same fiscal year, we had an even greater increase in new case filings, over 2.7 million, than ever before. Ladies and gentlemen, I can summarize for you now in one sentence all of the statistics concerning the judicial branch's performance of its core constitutional duty. We are deciding an all-time high number of cases, but our courts are falling behind again.

"Like you, I know that some of our court officials work harder than others. Nevertheless, North Carolina consistently ranks among the very top states in judicial productivity. Our District Attorneys also consistently rank among the most productive in the nation. I tell you now that as a court system, we have about reached our maximum limits. We cannot do more or even continue the pace we have set in the last two years without substantial increases in personnel and other resources. We in the Judicial Branch of government want to perform our constitutional duty. It is our life's work and we are sworn to carry it out. We can and will do our part in any state policy to crack-down on dead-beat parents, but only if we are given the needed personnel and resources. We can and will do our part in bearing down on violent juveniles and making our schools safe, but only if we are given the necessary people and resources. We can and will implement any new law you pass to get even tougher with drunk drivers, but only if we are given the people and resources. We can even reduce plea-bargaining in our criminal courts, if that is what you and the public require, but only if we are given, in that case, a truly massive infusion of new people and resources. We want to do our duty, but I implore you to recognize that any calls for legislation creating new crimes or substantially increasing punishment for existing crimes will simply amount to demagoguery if not accompanied by adequate increases in court resources.

"To give you just one concrete example, I point to the victims' rights amendment to our State Constitution which you submitted to the voters and which they passed in the General Election of 1996. As you know, this amendment will require that notice be given to victims of some as yet unidentified types of crimes when court proceedings regarding those crimes are to occur. If the legislation you pass to put this amendment into effect requires such notices in anything other than capital cases, I regret to tell you that we simply will not be able to comply without a substantial increase in personnel. This new provision of the Constitution will be turned into a false promise, unless you appropriate money for enough people to do the job. Believe me, no magical automatic telephone system exists or will exist in this century to do the job of giving these notices. It will simply have to be done the old fashioned way; through hard work, by a lot of people.

"This year we are asking that you create 8 new Superior Court judgeships, 16 District Court judgeships, 56 positions for Assistant District Attorneys, 16 Assistant Public Defenders, 135 new positions for Deputy Clerks of Court, and 41 new positions for personnel to assist victims and witnesses when they come to court. We know that this is a large request, certainly by our standards if not by yours, but we ask that you bear in mind that if we get every one of these new people we are requesting, we will only have brought our caseloads of our prosecutors and judges back to 1983 levels.

"Possibly of even greater importance, we simply must create, in this state, an adequate computer system for the courts if we are to avoid having to come to you, year after year, asking for ever larger increases in personnel. Our requests for the coming fiscal year include 4.8 million dollars simply for maintaining our current totally inadequate system. What we really must do now, however, is design and put in place a true system by which our courts can take advantage of the increased efficiency computer systems have brought to much of the private sector. This was the conclusion of the Future's Commission in the technology section of its report, and I really do recommend that you read that section of the report particularly.

"Tracking the recommendations of the Future's Commission on this point, we are requesting an additional 6.7 million dollars this year to begin the planning and implementation of a time system which will require several years of effort. But the Future's Commission and those of you who are familiar with such large computer systems know that a long-term and consistent funding stream is required through the planning, creation and implementation stages of such a system. Such a system simply cannot be created using a system of year-to-year fluctuating funding as funding becomes available.

"In North Carolina, the Judicial Branch has always been a separate and independent branch of government, but it rarely has been treated as an equal branch of government. Article IV, Section 20 of our State Constitution commands that the operating expenses of the Judicial Branch 'shall be paid from state funds'. In recent years, the Judiciary has consistently been limited to an appropriation of only about 2 to 2.5% of the State's General Fund Budget. The results have been clogged dockets, inadequate record-keeping, and a partial but inadequate computer system which will soon completely bog down without funds for maintenance and upgrades of equipment.

"This year, for example, even if we receive every penny we have requested in our continuation and expansion budgets, the entire Judicial Branch of government, the third Branch, will only be appropriated about 335 million dollars from a General Fund Budget of, I take it, more than 11 thousand billion dollars. This is a meager 3% of the budget. Since 1983, you have almost doubled our prison capacity, but we have had no really substantial increase in judges. It is alarming to note that, even if we do receive everything we have asked for in the way of personnel this year, we will merely be back to our 1983 levels of personnel.

"Prison construction does not occur in a vacuum. No matter how many prisons you build and no matter how many law enforcement officers you put on the street, their efforts will be frustrated without adequate funding for the courts. You cannot put dangerous criminals in prison without first sending them to court. By definition, a 'convict' is not a convict until he has been convicted in a court of law. The Constitution allows no less.

"Failing to provide adequate resources to the courts insures that law enforcement officers, corrections officials and the general public are frustrated. Such problems in North Carolina and in other states are in large part responsible for the increased attacks upon our court system. This should strike fear in the hearts of every one of us, as it is only the rule of law which separates us from those nations in which there is no freedom.

"I do not mean, ladies and gentlemen, that we should get every cent we request without justification; we have never asked for that. Instead, I simply ask that our budget requests be treated as those of an equal constitutional branch of government and evaluated on the basis of what is truly needed to perform our constitutional duties, not on the basis of competition with divisions of state agencies created by statute whose duties are optional and not required by the Constitution.

"My initial conversations with the leaders of both chambers of this great General Assembly have been very cordial and positive, and I am convinced that they will do everything possible to see that the Judicial Branch is able to meet its constitutional obligations to the citizens of this State. Our English cousin, Sir Winston Churchill, the son of an American mother, is reputed to have once said that, 'Americans will always do the right thing -- after they have exhausted every other possibility'. I have more faith in you than that. I think it is my responsibility, as today, during the eight-year term I am now beginning as Chief Justice, to be a voice of conscience, simply reminding you when the tasks you want to assign to the Judicial Branch go beyond our means or funds. For I believe in you, the

members of this great General Assembly. Unlike Sir Winston, I believe that you will do the right thing, the first time, every time, if we give you all of the facts. I close now by thanking you for your courtesy in inviting me today, thanking you for your attention to my remarks, and thanking you for your unfailing devotion to the people of North Carolina.

Upon completion of his address, the Chief Justice, joined by the Escort Committee, leaves the Hall of the House.

On motion of Senator Basnight, the Joint Session is dissolved and the Senate returns to its chamber.

The House resumes its business.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Gray and without objection, **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROANOKE RAPIDS TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 69, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF ROANOKE RAPIDS PROVISIONS OF A LOCAL ACT WHICH PROVIDES THAT SERVICE OF COMPLAINTS OR ORDERS ISSUED IN HOUSING CODE CASES IS SUFFICIENT WHERE THE COMPLAINTS OR ORDERS ARE SENT BY REGISTERED OR CERTIFIED MAIL IN CONJUNCTION WITH REGULAR MAIL AND THE REGISTERED OR CERTIFIED MAIL IS RETURNED, BUT THE REGULAR MAIL IS NOT RETURNED WITHIN TEN DAYS AFTER

MAILING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 70, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Hensley, the House adjourns at 2:43 p.m. to reconvene March 6 at 1:00 p.m.

TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, March 6, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Sexton.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (109-0).

Leaves of absence are granted Representatives Brawley, Ellis, Fox, and Redwine for today.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and presented to the office of the Secretary of State:

H.B. 4, AN ACT TO EXEMPT THE TOWN OF YADKINVILLE FROM CERTAIN STATUTORY REQUIREMENTS IN THE EXPANSION AND IMPROVEMENT OF THE TOWN'S SEWAGE TREATMENT PLANT. (S.L. 1997-3)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION TO HANDLE REDISTRICTING MATTERS AND TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PREPARATION FOR THE 2001 REDISTRICTING, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Congressional Redistricting.

The committee substitute bill is re-referred to the Committee on Congressional Redistricting. The original bill is placed on the Unfavorable Calendar.

H.B. 131, A BILL TO BE ENTITLED AN ACT TO EXTEND THE ACTIVITIES OF THE HEART DISEASE AND STROKE PREVENTION TASK FORCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 140, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY STUDY COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 169, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY

COMMISSION'S RECOMMENDATION TO CONTINUE THE COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 10.

H.B. 65, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 10.

H.B. 101, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 10.

H.B. 105, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 10. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 57, A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Barbee for the Committee on Pensions and Retirement:

H.B. 126, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 355, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CIVIL TRIAL IN DISTRICT COURT WILL NOT BE REPORTED UNLESS A PARTY REQUESTS REPORTING IN WRITING OR THE COURT ORDERS REPORTING, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

By Representatives Aldridge and Howard, Co-Chairs, for the Committee on Human Resources:

H.B. 81, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 10. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

Committee Substitute for **H.B. 62,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES; and

H.B. 71, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Ives:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, AND TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Bonner, Brown, and Culp:

H.B. 409, A BILL TO BE ENTITLED AN ACT CLARIFYING WHERE APPEALS FROM AGRICULTURAL EMPLOYERS WILL BE HEARD, is referred to the Committee on Agriculture.

By Representatives Thompson, Justus, Kiser, and Sexton:

H.B. 410, A BILL TO BE ENTITLED AN ACT ENACTING AND ENTERING INTO THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT, is referred to the Committee on State Government.

By Representatives Owens and H. Hunter:

H.B. 411, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Saunders:

H.B. 412, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Berry, Howard, and Redwine (Co-Sponsors); Morris and Starnes:

H.B. 413, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE WELFARE REFORM ACT OF 1997, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Berry and Redwine (Co-Sponsors):

H.B. 414, A BILL TO BE ENTITLED AN ACT RELATING TO SEVERANCE PAY FOR THE PURPOSES OF UNEMPLOYMENT INSURANCE BENEFITS, is referred to the Committee on Commerce.

By Representatives Berry and Culp:

H.B. 415, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING GRANDPARENTS' LIABILITY FOR CERTAIN CHILD SUPPORT, is referred to the Committee on Judiciary II.

By Representatives Thompson and Buchanan:

H.B. 416, A BILL TO BE ENTITLED AN ACT REGARDING CATAWBA COUNTY AND INCORPORATED MUNICIPALITIES

LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 417, A BILL TO BE ENTITLED AN ACT REGARDING MITCHELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 418, A BILL TO BE ENTITLED AN ACT REGARDING AVERY COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 419, A BILL TO BE ENTITLED AN ACT REGARDING BURKE COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 420, A BILL TO BE ENTITLED AN ACT REGARDING CALDWELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson and Aldridge (Co-Sponsors); and Smith:

H.B. 421, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Creech, Crawford, Esposito, and Holmes:

H.B. 422, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Creech, Crawford, Esposito, and Holmes:

H.B. 423, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES AND OTHER PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin, Baddour, Bonner, Bowie, Fitch, Grady, Hardaway, Hensley, H. Hunter, Hurley, Insko, Jarrell, Smith, Tolson, Warner, and Wright:

H.B. 424, A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE RELEASED, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

By Representatives Kiser, Barbee, Carpenter, Gulley, Hall, Hardy, Justus, Rayfield, Sexton, Shubert, Smith, Starnes, Thompson, Weatherly, and G. Wilson:

H.B. 425, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT WITH BODILY FLUIDS OR WASTES, is referred to the Committee on Judiciary II.

By Representatives Kiser, Barbee, Carpenter, Dickson, Gulley, Hall, Hardy, Justus, Morris, Rayfield, Sexton, Shubert, Smith, Thompson, Weatherly, and G. Wilson:

H.B. 426, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO DISTRIBUTE SURPLUS PROPERTY USED FOR LAW ENFORCEMENT, is referred to the Committee on Judiciary II.

By Representatives Kiser, Barbee, Carpenter, Dedmon, Gulley, Hall, Hardy, Justus, Morris, Rayfield, Sexton, Shubert, Smith, Thompson, Weatherly, and G. Wilson:

H.B. 427, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR CERTAIN ASSAULTS ON A PROBATION OFFICER, PAROLE OFFICER, OR STATE OR COUNTY CORRECTIONS EMPLOYEE, is referred to the Committee on Judiciary II.

CALENDAR

Action is taken on the following:

H.B. 267, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FROM A MISDEMEANOR TO A CLASS G FELONY FOR THE OFFENSES OF FALSELY REPORTING THAT A BOMB OR OTHER DESTRUCTIVE DEVICE MAY EXPLODE AND PERPETRATING A HOAX BY USING A FALSE DESTRUCTIVE DEVICE.

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered engrossed and sent to the Senate.

H.B. 87, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS.

On motion of Representative Moore, Committee Amendment No. 1 is adopted by electronic vote (110-0). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (110-0). The caption having been amended, the bill remains on the Calendar.

H.B. 281, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ALEXANDER COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 17, A BILL TO BE ENTITLED AN ACT TO REPEAL AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ADD GUILFORD, ROCKINGHAM, AND STOKES COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHO-PHOTOGRAPHY.

Representative Capps offers Amendment No. 1 which is adopted.

On motion of Representative Capps, the vote by which Amendment No. 1 was adopted is reconsidered.

On motion of the Chair, the bill with pending amendment is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 248,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES.

Representative Sutton offers Amendment No. 1.

Representative Sutton calls the previous question on the amendment and the call is sustained by electronic vote (98-15).

Amendment No. 1 is adopted by electronic vote (76-37).

Representative Nesbitt offers Amendment No. 2 which fails of adoption by electronic vote (50-61).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell,

Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representatives Allred, Beall, Fitch, Kinney, McComas, Owens, and Smith - 7.

Excused absences: Representatives Brawley, Ellis, Fox, and Redwine - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 33, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Brawley, Ellis, Fox, and Redwine - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 203, A BILL TO BE ENTITLED AN ACT TO SUPPLEMENT CLARK'S CALENDAR, WHICH MAY BE INTRODUCED IN EVIDENCE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 13, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND REDUCE INHERITANCE TAXES.

Representative R. Hunter moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations. The motion fails by electronic vote (49-63).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (88-21).

The bill passes its second reading by electronic vote (95-15).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 334, A JOINT RESOLUTION INVITING THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED STATES, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 191, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 192, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 309, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO ISSUE TICKETS FOR OVERTIME PARKING ON CITY STREETS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 10.

RE-REFERRAL

On motion of Representative C. Wilson, pursuant to Rule 39.2 and without objection, **S.B. 199,** A BILL TO BE ENTITLED AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES, is withdrawn from the Committee on Election Law and Campaign Reform and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative McAllister, the House adjourns at 2:33 p.m. to reconvene Monday, March 10, 1997, at 7:00 p.m.

TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, March 10, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Rayfield.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (106-0).

Leaves of absence are granted Representatives Braswell, R. Hunter, and McMahan for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 89, A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY BUILDING PRINCIPAL IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION OF PROBATION, AND TO PROVIDE FOR THE MAINTENANCE OF THE NOTIFICATIONS, with a favorable report as to the committee substitute, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 11. The original bill is placed on the Unfavorable Calendar.

S.B. 70, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR REDUNDANT SCHOOL LAWS, TO TRANSFER THE STATUTES THAT ESTABLISH THE STATE SCHOOLS FOR HEARING- AND SIGHT-IMPAIRED STUDENTS FROM CHAPTER 115C TO CHAPTER 143B OF THE GENERAL STATUTES, TO STREAMLINE THE REPORTS OF THE STATE BOARD OF EDUCATION TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES, with a favorable report as to House committee substitute, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO ARRANGE FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 11. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 197, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR CONDUCTING JUDICIAL SALES OF TIMBER BY SEALED BID, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 11. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Aldridge and Howard, Co-Chairs, for the Standing Committee on Human Resources, refer:

H.B. 110, A BILL TO BE ENTITLED AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS, to the Permanent Subcommittee on Aging.

H.B. 153, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE", to the Permanent Subcommittee on Families.

H.B. 185, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO MODIFY

THE METHOD AND REPORTING PERIOD FOR FAMILY CARE HOMES, to the Permanent Subcommittee on Families.

H.B. 186, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AMENDMENTS TO THE STATUTES PROVIDING FOR CRIMINAL HISTORY RECORD CHECKS OF INDIVIDUALS INVOLVED IN PROVIDING CHILD FOSTER CARE AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, to the Permanent Subcommittee on Families.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Culpepper:

H.B. 428, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE GENERAL STATUTES GOVERNING THE DEPARTMENT OF CULTURAL RESOURCES AND THE NORTH CAROLINA HISTORICAL COMMISSION, is referred to the Committee on State Government.

By Representatives Beall and Ramsey:

H.B. 429, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAYNESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, is referred to the Committee on Local and Regional Government II.

By Representative Culp:

H.B. 430, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representatives Howard, Berry, Davis, Decker, Gardner, Morris, Sexton, Starnes, and Watson:

H.B. 431, A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, is referred to the Committee on Welfare Reform.

By Representatives Baddour, Justus, and Sexton (Co-Sponsors); Adams, Alexander, Bonner, Boyd-McIntyre, Brawley, Brown, Davis, Decker, Dedmon, Dockham, Goodwin, Gulley, Hall, Hardy, Hiatt, Hightower, R. Hunter, Hurley, Ives, Jeffus, Kiser, McAllister, McMahan, Mercer, Moore, Morris, Mosley, Nesbitt, Oldham, Rayfield, Redwine, Russell, Saunders, Smith, Starnes, Sutton, Tolson, Warwick, C. Wilson, Wood, Wright, and Yongue:

H.B. 432, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LESSONS LEARNED FROM HURRICANE FRAN WITH RESPECT TO THE MOBILIZATION OF THE NORTH CAROLINA NATIONAL GUARD, is referred to the Committee on State Government and, if favorable, to the Committee on Judiciary II.

By Representatives Gulley, Alexander, Cunningham, Davis, Decker, Dickson, Hardy, McMahan, Morris, Rayfield, Saunders, Sexton, Starnes, and C. Wilson:

H.B. 433, A BILL TO BE ENTITLED AN ACT TO EXEMPT A SWORN LAW ENFORCEMENT OFFICER OR A RETIRED SWORN LAW ENFORCEMENT OFFICER FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR A PERMIT WITHIN ONE YEAR OF RETIREMENT, is referred to the Committee on Judiciary I.

By Representatives Dockham and Brawley:

H.B. 434, A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS, is referred to the Committee on Insurance.

By Representatives Dockham and Brawley:

H.B. 435, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Insurance.

By Representatives Dockham and Brawley:

H.B. 436, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Insurance.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 437, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF SURRY COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 438, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF STOKES COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 439, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF STOKES COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 440, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF SURRY COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 441, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ALLEGHANY COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 442, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ALLEGHANY COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 443, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ASHE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 444, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF ASHE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 445, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF WATAUGA COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Hiatt, and G. Wilson:

H.B. 446, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF WATAUGA COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Carpenter, Miller, and Sexton:

H.B. 447, A BILL TO BE ENTITLED AN ACT TO PROVIDE TECHNICAL ASSISTANCE TO EMPLOYERS WITH HIGH WORKERS' COMPENSATION RATE MODIFIERS, is referred to the Committee on Commerce and, if favorable, to the Committee on Insurance.

By Representatives Hackney and Bowie (Co-Sponsors); Baddour, Boyd-McIntyre, Culp, Decker, Gardner, Goodwin, Hardy, Jeffus, Luebke, Miller, Starnes, Thompson, and Wood:

H.B. 448, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED, is referred to the Committee on Judiciary II.

By Representatives Hackney and Bowie (Co-Sponsors); Baddour, Boyd-McIntyre, Culp, Gardner, Goodwin, Jeffus, Luebke, Miller, Thompson, and Watson:

H.B. 449, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXPANDING THE DRUG AND ALCOHOL RECOVERY TREATMENT CONTINUING CARE PROGRAM AS PART OF THE GOVERNOR'S DRIVING WHILE IMPAIRED INITIATIVES, is referred to the Committee on Appropriations.

By Representatives Redwine, Baddour, Jeffus, Luebke, and Miller:

H.B. 450, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CALCULATION AND COLLECTION OF UNEMPLOYMENT INSURANCE TAXES, is referred to the Committee on Commerce and, if favorable, to the Committee of Insurance.

By Representatives Redwine, Baddour, Jeffus, Luebke, and Miller:

H.B. 451, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY FOR UNEMPLOYMENT BENEFITS IN THE EVENT OF SPOUSAL ABUSE OR A SPOUSAL RELOCATION, TO THE DEFINITION OF EMPLOYMENT AS TO AGRICULTURAL LABOR, AND TO FOOD STAMP OVERISSUANCES, is referred to the Committee on Commerce.

By Representatives Redwine, Baddour, Rayfield, and Smith:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH PLAN PROPERTY INSURANCE STATUTES TO FURTHER CARRY OUT THE RECOMMENDATIONS THAT WERE MADE TO THE 1996 SESSION OF THE GENERAL ASSEMBLY BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE ISSUES, is referred to the Committee on Insurance.

By Representatives Redwine, Baddour, Luebke, and Miller:

H.B. 453, A BILL TO BE ENTITLED AN ACT RELATING TO THE BASE PERIOD FOR ELIGIBILITY FOR UNEMPLOYMENT BENEFITS AND ELIMINATING THE ONE AND ONE-HALF TIMES TEST, is referred to the Committee on Commerce.

By Representatives Grady, Adams, Alexander, Arnold, Baddour, Beall, Bonner, Boyd-McIntyre, Buchanan, Culpepper, Davis, Easterling, Fox, Goodwin, Hardaway, Hiatt, Hurley, Luebke, Miller, Morris, Owens, Preston, Ramsey, Rogers, Sherrill, Shubert, Smith, Sutton, Thompson, Wainwright, Watson, and Yongue:

H.B. 454, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING, is referred to the Committee on Appropriations.

By Representative Dockham:

H.B. 455, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES CONCERNING THE DETECTION, PREVENTION, CARE, AND TREATMENT OF GLAUCOMA, is referred to the Committee on Insurance.

By Representative Dockham:

H.B. 456, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REQUIRING THE REGISTER OF DEEDS TO DISTRIBUTE INFORMATION ON THE DANGERS OF DRUG AND ALCOHOL ABUSE DURING PREGNANCY WITH EACH MARRIAGE LICENSE, is referred to the Committee on Human Resources and, if favorable, to the Committee on Finance.

By Representatives Weatherly, Brown, Gulley, Kiser, Mitchell, Morris, and G. Wilson:

H.B. 457, A BILL TO BE ENTITLED AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representative Barbee:

H.B. 458, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER SCHOOL ACT OF 1996 TO ELIMINATE THE REQUIREMENT THAT CHARTER SCHOOLS BE OPERATED BY

PRIVATE NONPROFIT CORPORATIONS AND TO MAKE SUCH OPERATION OPTIONAL, is referred to the Committee on Education.

By Representatives Justus, Baddour, Kiser, Morris, and Thompson:

H.B. 459, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE POWERS AND AUTHORITY OF THE NORTH CAROLINA NATIONAL GUARD, is referred to the Committee on State Government.

By Representative Culpepper:

H.B. 460, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO DESIGNATE WHO HAS THE DUTY TO ESTABLISH AND REVISE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representative Tallent:

H.B. 461, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHARTERING OF INDEPENDENT TRUST COMPANIES AND TO PERMIT BANKS AND TRUST COMPANIES TO CONDUCT A TRUST BUSINESS ON AN INTERSTATE BASIS, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

By Representatives Smith, Jeffus, Sexton, and Wainwright:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT A MINIMUM SALARY SCHEDULE FOR ALL NONCERTIFIED PUBLIC SCHOOL EMPLOYEES AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Appropriations.

By Representatives Owens and Starnes:

H.B. 463, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PERMISSIBLE WEIGHT OF AGRICULTURAL CROPS THAT MAY BE TRANSPORTED ON THE HIGHWAYS FROM THE FIELD TO A PLACE WITH CERTIFIED SCALES, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Alexander, Boyd-McIntyre, Miller, and Wainwright:

H.B. 464, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sutton, Blue, Boyd-McIntyre, Braswell, Earle, Goodwin, Hardaway, Hensley, R. Hunter, Nesbitt, and Yongue:

H.B. 465, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT BE NOTIFIED WHEN THE PROSECUTOR TAKES A VOLUNTARY DISMISSAL OF THE CHARGES AGAINST THE DEFENDANT AND NEITHER THE DEFENDANT NOR THE DEFENDANT'S ATTORNEY IS PRESENT AT THE TIME OF THE DISMISSAL, is referred to the Committee on Judiciary II.

By Representative Goodwin:

H.B. 466, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gamble:

H.B. 467, A BILL TO BE ENTITLED AN ACT TO LEVY A PRIVILEGE LICENSE TAX ON THE GROSS RECEIPTS OF FINANCIAL INSTITUTIONS FROM FEES THEY CHARGE THEIR CUSTOMERS, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Decker, Starnes, and Wood:

H.B. 468, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS WITH RESPECT TO THE OPERATION OF MOTOR VEHICLES, is referred to the Committee on Judiciary I.

By Representative Tallent:

H.B. 469, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LATE PAYMENT FEE AND TO CREATE A REINSTATEMENT FEE FOR PERMITS SUSPENDED FOR FAILURE TO PAY PERMIT FEES, is

referred to the Committee on Human Resources and, if favorable, to the Committee on Finance.

By Representative Tallent:

H.B. 470, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF COUNTY MEDICAL INVESTIGATORS, is referred to the Committee on Judiciary I.

By Representative Tallent:

H.B. 471, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF ESTABLISHMENTS THAT ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES, is referred to the Committee on Commerce.

By Representatives Miner, Carpenter, Hall, McCombs, Mitchell, Starnes, and Wilkins:

H.B. 472, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PLANNING DORTON ARENA IMPROVEMENTS, is referred to the Committee on Appropriations.

By Representative Miner:

H.B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CHANGE REGARDING THE DISPOSITION OF OBJECTS FROM THE COLLECTIONS OF THE MUSEUM OF NATURAL SCIENCES, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representative Sutton:

H.B. 474, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHICH PREINDUCEMENT EXPENDITURES MAY BE FINANCED WITH INDUSTRIAL REVENUE BONDS, is referred to the Committee on Finance.

By Representatives Hurley, Baddour, and Watson:

H.B. 475, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ESTABLISH LOCAL PROGRAMS THAT PROVIDE FOR PRELIMINARY EVALUATIONS OF PROPOSED SITES FOR WASTEWATER SYSTEMS THAT ARE NOT BINDING ON

THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OR THE LOCAL HEALTH DEPARTMENT AND TO PROHIBIT ANY OTHER PRELIMINARY SITE EVALUATIONS, is referred to the Committee on Environment.

By Representatives Hurley and Baddour:

H.B. 476, A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES FOR VITAL RECORDS, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representative Cansler:

H.B. 477, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO ADMINISTER COMPUTER-BASED EXAMINATIONS AND TO KEEP CERTAIN RECORDS CONFIDENTIAL, is referred to the Committee on Judiciary II.

By Representatives Baddour and Gardner (Co-Sponsors); Aldridge, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Dickson, Earle, Gamble, Howard, R. Hunter, Hurley, Ives, Jeffus, Miller, Morris, Nye, Oldham, Smith, Watson, Weatherly, and G. Wilson:

H.B. 478, A BILL TO BE ENTITLED AN ACT TO TRANSFER HEALTH SERVICES TO THE DEPARTMENT OF HUMAN RESOURCES, TO CHANGE THE NAME OF THE DEPARTMENT OF HUMAN RESOURCES TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO CHANGE THE NAME OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND TO MAKE TECHNICAL AND CONFORMING STATUTORY CHANGES, is referred to the Committee on Human Resources.

By Representatives Adams, Black, Bowie, Boyd-McIntyre, Braswell, Earle, Fitch, Jarrell, Jeffus, Kinney, Michaux, Oldham, Smith, Wainwright, Womble, and Wright:

H.B. 479, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS AT NORTH CAROLINA AGRICULTURAL AND

TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Adams, Alexander, Black, Boyd-McIntyre, Braswell, Earle, Jarrell, Jeffus, Kinney, McAllister, Morris, Mosley, Oldham, Smith, Wainwright, Watson, Womble, and Wright:

H.B. 480, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representatives Adams, Alexander, Baddour, Black, Boyd-McIntyre, Braswell, Earle, Fitch, Goodwin, Hurley, Jarrell, Jeffus, Kinney, McAllister, Mosley, Oldham, Wainwright, C. Wilson, Womble, Wright, and Yongue:

H.B. 481, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY DISCLAIMERS REQUIRED BY LAW ON ELECTION ADVERTISING BE LARGE, LEGIBLE, AND NOT MISLEADING, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Culp, Barbee, Clary, Decker, Dickson, Jeffus, Kiser, McComas, Preston, Reynolds, Rogers, Russell, Sexton, Sherrill, Shubert, Sutton, Watson, Weatherly, Wood, and Yongue:

H.B. 482, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL HANDICAPPED PERSONS TO USE A REGISTERED SIGNATURE FACSIMILE AS A MARK OF THEIR LEGAL SIGNATURE, is referred to the Committee on Judiciary I.

By Representative Ives:

H.B. 483, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS, is referred to the Committee on Education and, if favorable, to the Committee on Judiciary I.

By Representatives Weatherly and Culp:

H.B. 484, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, is referred to the Committee on Environment.

By Representative Dockham:

H.B. 485, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

By Representatives Nye and Wright:

H.B. 486, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Barbee:

H.B. 487, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT PAID TO PHYSICIANS TO READ X-RAY FILMS FOR THE DUSTY TRADES PROGRAM, is referred to the Committee on Commerce and, if favorable, to the Committee on Appropriations.

By Representative Barbee:

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INCREASE IN THE FEE CHARGED FOR RABIES TAGS, is referred to the Committee on Finance.

By Representatives Sherrill and Ives:

H.B. 489, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MOUNTAIN STATE FAIR, is referred to the Committee on Appropriations.

By Representatives Easterling and Watson (Co-Sponsors); Baddour, Boyd-McIntyre, Goodwin, Hightower, Jarrell, Jeffus, Miller, and Wainwright:

H.B. 490, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TRUST FUND TO PROVIDE FUNDING FOR THE EARLY CHILDHOOD INITIATIVES PROGRAM, is referred to the Committee on Appropriations.

By Representatives Easterling, Goodwin, and Jeffus:

H.B. 491, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE YOUTH ADVISORY AND NORTH CAROLINA INTERNSHIP COUNCILS WITHIN THE YOUTH ADVOCACY COUNCIL IN THE DEPARTMENT OF ADMINISTRATION AND TO MAKE CONFORMING CHANGES TO OTHER RELATED STATUTES, is referred to the Committee on State Government.

By Representatives Holmes, Crawford, Creech, and Esposito:

H.B. 492, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Holmes, Crawford, Creech, and Esposito:

H.B. 493, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Gray, Baddour, Goodwin, Hackney, Hightower, and Miller:

H.B. 494, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS FOR CAPITAL IMPROVEMENTS AT THE INSTITUTE OF GOVERNMENT, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.J.R. 107, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF WILLIAM R. PITTMAN MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH

CAROLINA UTILITIES COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 138, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA DRINKING WATER ACT SO THAT IT CONFORMS WITH FEDERAL LAW, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment.

INTRODUCTION OF PAGES

Pages for the week of March 10 are introduced to the membership. They are: Katrina Marie Bird of Currituck; Meredith L. Brannon of Gaston; Sheryl-Lynne J. Burden of Guilford; Susan Emily Burns of Mecklenburg; Davia Caldwell of Gaston; Kristen Cordell of Onslow; Ashlee Hoskins of Lee; Adrianne Nicole Jones of Duplin; Courtney Jones of Alamance; Elizabeth Jones of Wake; Catherine E. Kimberley of Wake; Tara Ellen Mauney of Rutherford; Frances Kathleen McEwen of Robeson; Leslie McNeill of Carteret; Sarah Ousley of Cleveland; Keela Ramsey of Cumberland; Kathryn Shaw of Mecklenburg; Shannon Marie Shook of Alexander; Earleicia Suggs of Lenoir; Amelia Talford of Mecklenburg; Janel Elizabeth Walls of Yadkin; Desiree Warner of Onslow; and Jennifer Sue White of Randolph.

CALENDAR

Action is taken on the following:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT.

On motion of Representative Allred, Committee Amendment No. 1 is adopted by electronic vote (112-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper,

Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Braswell, R. Hunter, and McMahan - 3.

H.B. 65, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Braswell, R. Hunter, and McMahan - 3.

Committee Substitute for **H.B. 105,** A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN

AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Braswell, R. Hunter, and McMahan - 3.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ADD GUILFORD, ROCKINGHAM, AND STOKES COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHO-PHOTOGRAPHY, is before the Body with Amendment No. 1 pending.

Representative Capps withdraws his amendment.

On motion of Representative Sexton, the bill is temporarily displaced.

H.B. 309, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO ISSUE TICKETS FOR OVERTIME PARKING ON CITY STREETS.

On motion of Representative Capps, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute No. 2 for **H.B. 248,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Allred, Blue, Owens, and Smith - 4.

Excused absences: Representatives Braswell, R. Hunter, and McMahan - 3.

S.B. 33, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer,

Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Braswell, R. Hunter, and McMahan - 3.

H.B. 101, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Insko, Ives, Jarrell, Jeffus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Capps and Ellis - 2.

Excused absences: Representatives Braswell, R. Hunter, and McMahan - 3.

H.B. 87, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS AND OTHERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS.

The bill, as amended, passes its third reading, by electronic vote (110-0), and is ordered engrossed and sent to the Senate.

H.B. 13, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND REDUCE INHERITANCE TAXES, passes its third reading, by electronic vote (101-11), and is ordered sent to the Senate.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ADD GUILFORD, ROCKINGHAM, AND STOKES COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHO-PHOTOGRAPHY, which was temporarily displaced, is before the Body.

Representative Sexton offers Amendment No. 2 which is adopted. This amendment changes the title and changes the bill from local to public.

The bill, as amended, passes its second reading by electronic vote (109-0). The caption having been amended, the bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 144, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION THAT THE OFFENSE OF VOLUNTARY MANSLAUGHTER BE INCREASED FROM A CLASS E FELONY TO A CLASS D FELONY, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 142, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO RECLASSIFY THE OFFENSE OF ACCESSORY AFTER THE FACT, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 134, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED ARTICLE 8 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES

COMMISSION, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 143,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ANNUAL AUDITED REPORTS ARE TO BE SUBMITTED BY ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 81,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, passes its second reading by electronic vote (106-5).

Representative Cunningham objects to the third reading. The bill remains on the Calendar.

On motion of Representative Morgan, seconded by Representative Hackney, the House adjourns at 8:07 p.m. to reconvene March 11 at 2:00 p.m.

TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 11, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Catherine Johnson, Edenton Street United Methodist Church, Raleigh, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (106-0).

A leave of absence is granted Representative Braswell for today. Representative Blue is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.J.R. 334, A JOINT RESOLUTION INVITING THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED STATES, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, with a favorable report as to House committee substitute joint resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the House committee substitute joint resolution is placed on today's Calendar for immediate consideration. The original resolution is placed on the Unfavorable Calendar.

The resolution passes its second reading, by electronic vote (104-8), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute joint resolution by Special Message.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 286, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF DORTCHES AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 298, A BILL TO BE ENTITLED AN ACT INCREASING FROM FIVE TO SEVEN THE MEMBERSHIP OF THE COLUMBUS COUNTY AIRPORT AUTHORITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 12. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance.

Committee Substitute for **H.B. 136,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEOCASSETTE TAPE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of March 12. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 98, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 374, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT TO INCREASE THE ALLOWABLE EXPENSE FOR FUNERALS AND TO MAKE VICTIMS OF HIT AND RUN ACCIDENTS AND VICTIMS OF TERRORISM ELIGIBLE FOR COMPENSATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 12.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Owens, Culpepper, Miller, and Yongue:

H.B. 495, A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE ACTUAL COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION, is referred to the Committee on Commerce.

By Representative Hall:

H.B. 496, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, is referred to the Committee on Local and Regional Government II.

By Representatives C. Wilson, Davis, and Hardy:

H.B. 497, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR AN ADDITIONAL YEAR THE ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR POSITIVE-RATED EMPLOYERS, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives C. Wilson, Hardy, and Morris:

H.J.R. 498, A JOINT RESOLUTION HONORING THE MEMORY OF COLONEL HENRY ELI KENDALL, JR., FOR HIS COMMITMENT TO CONSERVATIVE AND EFFECTIVE UTILIZATION OF PUBLIC FUNDS DURING HIS SERVICE AS CHAIR OF THE EMPLOYMENT SECURITY COMMISSION, AND REQUESTING CONGRESS TO DEVOLVE THE UNEMPLOYMENT INSURANCE SYSTEM TO STATE CONTROL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson, Boyd-McIntyre, Buchanan, Davis, Decker, Dedmon, Hill, Howard, Miner, Nichols, Sherrill, Tallent, and C. Wilson:

H.B. 499, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 60, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RULES FOR MAKING LEFT TURNS ON VARIOUS ROADWAYS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 122, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 167, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, is read the first time and referred to the Committee on Transportation.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 33, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

CALENDAR

Action is taken on the following:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Braswell and Blue - 2.

Representative Wainwright requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-0).

H.B. 65, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke,

McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Braswell and Blue - 2.

Representative Wainwright requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-0).

Committee Substitute for **H.B. 105,** A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Braswell and Blue - 2.

Representative Wainwright requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-0).

H.B. 101, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 111.

Voting in the negative: Representative Capps.

Excused absences: Representatives Braswell and Blue - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely,

Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Braswell and Blue - 2.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 265,** A BILL TO BE ENTITLED AN ACT TO ADD GUILFORD, ROCKINGHAM, AND STOKES COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, is withdrawn from the Calendar and placed on the Calendar of March 12.

CALENDAR (continued)

Committee Substitute for **H.B. 81,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE.

Representative Cunningham moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Human Resources. The motion fails by electronic vote (29-86).

The bill passes its third reading, by electronic vote (104-11), and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 141,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN EMBEZZLEMENT OFFENSES, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 139,** A BILL TO BE ENTITLED A BILL TO BE ENTITLED AN ACT TO AMEND THE SEX OFFENDER REGISTRATION LAW TO CLARIFY THAT PERSONS CONVICTED OF SEX OFFENSES IN FEDERAL COURT AND OTHER STATES ARE REQUIRED TO REGISTER, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 78, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHO IS EXEMPT FROM THE PUBLIC SCHOOL ADMINISTRATOR EXAM, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 271,** A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES.

Representative Mercer offers Amendment No. 1.

Representative Mercer calls the previous question on the amendment and the call is sustained by electronic vote (102-14).

Amendment No. 1 fails of adoption, by electronic vote (58-58), for lack of a majority.

The bill passes its second reading by electronic vote (109-7).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 272,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE INSTITUTIONS OF THE COMMUNITY COLLEGE SYSTEM TO OBTAIN REFUNDS OF SALES AND USE TAXES.

Representative Mercer offers Amendment No. 1 which is adopted by electronic vote (63-52).

The bill, as amended, passes its second reading by electronic vote (111-4).

Representative Black objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 89,** A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY BUILDING PRINCIPAL IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION OF PROBATION, TO PROVIDE FOR THE MAINTENANCE OF THE NOTIFICATIONS, AND TO ENCOURAGE THE ASSIGNMENT OF COURT COUNSELORS TO INDIVIDUAL SCHOOLS.

Representative Capps offers Amendment No. 1 which fails of adoption by electronic vote (45-64).

The bill passes its second reading by electronic vote (114-1).

Representative Ellis objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 198,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY TO ARRANGE FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT.

Representative Allred offers Amendment No. 1.

Representative Allred withdraws his amendment.

Representative Allred moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I. The motion fails by electronic vote (9-104).

The bill passes its second reading, by electronic vote (110-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Ellis removes his objection to the third reading of Committee Substitute for **H.B. 89,** A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY BUILDING PRINCIPAL IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION OF PROBATION, TO PROVIDE FOR THE MAINTENANCE OF THE NOTIFICATIONS, AND TO ENCOURAGE THE ASSIGNMENT OF COURT COUNSELORS TO INDIVIDUAL SCHOOLS.

Representative Luebke objects to the third reading. The bill remains on the Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 197,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR CONDUCTING JUDICIAL SALES OF TIMBER BY SEALED BID, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 86,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO TWO SECTIONS OF THE GENERAL STATUTES IN NEED OF PROMPT CORRECTIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Luebke withdraws his objection to the third reading of Committee Substitute for **H.B. 89,** A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY BUILDING PRINCIPAL IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION OF PROBATION, TO PROVIDE FOR THE MAINTENANCE OF THE NOTIFICATIONS, AND TO ENCOURAGE THE ASSIGNMENT OF COURT COUNSELORS TO INDIVIDUAL SCHOOLS.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 62,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 12.

H.B. 71, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 12.

By Representative Ellis for the Committee on Local and Regional Government I:

S.B. 85, A BILL TO BE ENTITLED AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 238, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE OWNERS AND OPERATORS OF ANIMAL WASTE MANAGEMENT SYSTEMS TO PARTICIPATE IN CERTAIN RESEARCH STUDIES DIRECTED BY THE GENERAL ASSEMBLY BY LIMITING ENFORCEMENT ACTIONS FOR UNINTENTIONAL AND NONNEGLIGENT VIOLATIONS OF WATER QUALITY STANDARDS THAT ARE IDENTIFIED IN THE COURSE OF THOSE RESEARCH STUDIES AND TO CLARIFY THE REPORTING DATES FOR THOSE RESEARCH STUDIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 12. The original bill is placed on the Unfavorable Calendar.

By Representative Ives for the Permanent Subcommittee on Families of the Standing Committee on Human Resources, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 145, A BILL TO BE ENTITLED AN ACT PERTAINING TO RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Howard, pursuant to Rule 39.2 and without objection, **H.B. 151,** A BILL TO BE ENTITLED AN ACT

RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO BROADEN THE ACCESS TO CONFIDENTIAL RECORDS FOR THE PURPOSES OF CHILD FATALITY REVIEW AND PREVENTION, is withdrawn from the Committee on Human Resources and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Warner, the House adjourns at 4:18 p.m. to reconvene March 12 at 2:00 p.m.

TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 12, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Morris.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (102-0).

Leaves of absence are granted Representatives Braswell, Crawford, Culp, and Hardaway for today.

ENROLLED BILL

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 334, A JOINT RESOLUTION INVITING THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED STATES, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR. (RESOLUTION 3)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 102, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THERE BE AT LEAST ONE VOTING PLACE IN MITCHELL COUNTY WITHIN EVERY TOWNSHIP THAT EXISTED IN 1995, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 336, A BILL TO BE ENTITLED AN ACT TO ALLOW TWO MEMBERS OF THE VICTIM'S FAMILY TO BE PRESENT AT AN EXECUTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 79, A BILL TO BE ENTITLED AN ACT TO REPEAL MORE ANTIQUATED LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 295, A BILL TO BE ENTITLED AN ACT TO EXEMPT INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, with a

favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 72, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 270, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANIA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Barbee for the Committee on Pensions and Retirement:

Committee Substitute for **H.B. 97,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 264, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Davis:

H.B. 500, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUMMERVILLE, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Brown, Allred, Beall, Berry, Hightower, Hill, Howard, R. Hunter, McComas, Morris, Nichols, Ramsey, and Weatherly:

H.B. 501, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE OPENING OF CARTWAYS, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary II.

By Representative Ellis:

H.B. 502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A MOTORCYCLE LEARNER'S PERMIT, is referred to the Committee on Judiciary I.

By Representative H. Hunter:

H.B. 503, A BILL TO BE ENTITLED AN ACT RELATING TO GATES COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 504, A BILL TO BE ENTITLED AN ACT RELATING TO BERTIE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 505, A BILL TO BE ENTITLED AN ACT RELATING TO NORTHAMPTON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 506, A BILL TO BE ENTITLED AN ACT RELATING TO HERTFORD COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives R. Hunter, Beall, Brown, Dedmon, Goodwin, Hardy, Hightower, Jeffus, Mosley, Starnes, and Yongue:

H.B. 507, A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT, is referred to the Committee on Judiciary I.

By Representatives Brawley, Berry, Buchanan, Church, Kiser, Mitchell, and G. Wilson:

H.B. 508, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT ON THE UPPER CATAWBA RIVER, is referred to the Committee on Local and Regional Government II.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 260, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

On motion of Representative Wilkins and without objection, the bill is postponed until March 17.

Committee Substitute for **H.B. 298,** A BILL TO BE ENTITLED AN ACT INCREASING FROM FIVE TO SEVEN THE MEMBERSHIP OF THE COLUMBUS COUNTY AIRPORT AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 62,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO NONANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

Representative Cole offers Amendment No. 1 which is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: Representatives Baker, Carpenter, Hardy, and Kiser - 4.

Excused absences: Representatives Braswell, Crawford, Culp, and Hardaway - 4.

The Speaker rules Amendment No. 1 to be material, thus constituting its first reading. The bill remains on the Calendar for its second roll call reading.

Committee Substitute No. 2 for **H.B. 136,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEOCASSETTE TAPE.

On motion of Representative Weatherly, the bill is temporarily displaced.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ADD VARIOUS COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY.

On motion of Representative Sexton, the bill is temporarily displaced.

Committee Substitute for **H.B. 271,** A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES.

On motion of Representative Shubert, the bill is temporarily displaced.

Committee Substitute for **H.B. 272,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE INSTITUTIONS OF THE COMMUNITY COLLEGE SYSTEM TO OBTAIN REFUNDS OF SALES AND USE TAXES.

The bill, as amended, passes its third reading, by electronic vote (107-6), and is ordered engrossed and sent to the Senate.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO ADD VARIOUS COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, which was temporarily displaced, is before the Body.

Representative Shubert offers Amendment No. 3 which is adopted by electronic vote (110-0).

The bill, as amended, passes its third reading, by electronic vote (114-1), and is ordered engrossed and sent to the Senate.

Committee Substitute No. 2 for **H.B. 136,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEOCASSETTE TAPE, which was temporarily displaced, is before the Body.

Representative Michaux offers Amendment No. 2 which is adopted by electronic vote (100-14).

Representative Goodwin states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (101-14).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Barbee, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Justus, Kinney, Kiser, McComas, McCombs, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 97.

Voting in the negative: Representatives Allred, Baker, Beall, Easterling, Fitch, Hackney, Hensley, Luebke, McCrary, Ramsey, and Saunders - 11.

Excused absences: Representatives Braswell, Crawford, Culp, Hardaway, and Morgan - 5.

Committee Substitute for **H.B. 271,** A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, which was temporarily displaced, is before the Body.

Representative Mercer offers Amendment No. 2 which is adopted by electronic vote (58-54).

The bill, as amended, passes its third reading, by electronic vote (112-2), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 16,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CONSTRUCTION OF CERTAIN COMPONENTS OF LIQUID ANIMAL WASTE MANAGEMENT SYSTEMS WITHIN THE ONE HUNDRED-YEAR FLOODPLAIN, passes its second reading, by electronic vote (99-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 374, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT TO INCREASE THE ALLOWABLE EXPENSE FOR FUNERALS AND TO MAKE VICTIMS OF HIT AND RUN ACCIDENTS AND VICTIMS OF TERRORISM ELIGIBLE FOR COMPENSATION.

Representative H. Hunter requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 238,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE OWNERS AND OPERATORS OF ANIMAL WASTE MANAGEMENT SYSTEMS TO PARTICIPATE IN CERTAIN RESEARCH STUDIES DIRECTED BY THE GENERAL ASSEMBLY BY LIMITING ENFORCEMENT ACTIONS FOR UNINTENTIONAL AND NONNEGLIGENT VIOLATIONS OF WATER QUALITY

STANDARDS THAT ARE IDENTIFIED IN THE COURSE OF THOSE RESEARCH STUDIES AND TO CLARIFY THE REPORTING DATES FOR THOSE RESEARCH STUDIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (92-21), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-YEAR WAITING PERIOD BEFORE FORMER LEGISLATORS AND FORMER MEMBERS OF THE COUNCIL OF STATE MAY BECOME LOBBYISTS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Barbee, the House adjourns at 3:37 p.m., in memory of Daisy Culp, wife of Representative Arlie Culp, to reconvene March 13 at 10:00 a.m.

TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 13, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James Sledge, Western Boulevard Presbyterian Church, Raleigh, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Braswell, Brown, Culp, Decker, Gardner, and Nichols for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Thompson and Buchanan (Co-Sponsors); Baker, Clary, Dedmon, Hiatt, Justus, Owens, Weatherly, and G. Wilson:

H.B. 509, A BILL TO BE ENTITLED AN ACT TO ALLOCATE PART OF THE INVESTMENT EARNINGS ON THE 1996 PUBLIC SCHOOL BUILDING BONDS FOR SMALL COUNTY SCHOOL SYSTEMS, is referred to the Committee on Appropriations.

By Representatives Fox and Wilkins:

H.B. 510, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Ways and Means.

By Representatives Capps, Aldridge, Barbee, Brown, Cansler, Davis, Decker, Eddins, Ellis, Hill, Howard, Kiser, McMahan, Nichols, Nye, Reynolds, Shubert, Starnes, Warner, Weatherly, C. Wilson, and G. Wilson:

H.B. 511, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC SCHOOL LAWS TO ENSURE THAT EVOLUTION IS NOT TAUGHT AS FACT IN NORTH CAROLINA PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Preston, Arnold, Bowie, Cole, Creech, Dickson, Easterling, Fox, Gardner, Grady, Hiatt, Hurley, Jeffus, Kinney, McCrary,

McMahan, Mercer, Moore, Morris, Oldham, Owens, Rogers, Russell, Sherrill, Shubert, Smith, Wilkins, and Yongue:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS OR TO REMOVE TO AN ALTERNATIVE EDUCATIONAL SETTING A STUDENT WHO PHYSICALLY ASSAULTS AND SERIOUSLY INJURES A TEACHER OR OTHER PERSON; TO REQUIRE PARENT'S AFFIRMATION THAT STUDENT IS NOT SUSPENDED OR EXPELLED FROM ANOTHER SCHOOL BEFORE ADMISSION TO ANY PUBLIC SCHOOL; TO ALLOW LOCAL BOARDS OF EDUCATION TO DENY ADMISSION TO ANY STUDENT WHO HAS BEEN SUSPENDED OR EXPELLED FROM ANOTHER SCHOOL; TO REQUIRE NOTICE OF SUSPENSION AND EXPULSION TO BE MADE PART OF STUDENT'S OFFICIAL RECORD; TO REQUIRE NOTIFICATION OF STUDENT'S SCHOOL WHEN STUDENT IS CHARGED WITH A FELONY OR WHEN STUDENT IS ALLEGED OR FOUND TO BE DELINQUENT FOR AN OFFENSE THAT WOULD BE A FELONY IF COMMITTED BY AN ADULT; TO PROVIDE FOR THE SCHOOL'S USE OF JUVENILE COURT RECORDS; TO MAKE PRINCIPAL'S FAILURE TO REPORT CERTAIN ACTS TO LAW ENFORCEMENT A CLASS 3 MISDEMEANOR; TO ENCOURAGE PRINCIPALS TO CONVENE MEETINGS TO IDENTIFY SCHOOL SAFETY AND DISCIPLINE CONCERNS; TO REQUIRE SCHOOL IMPROVEMENT PLANS TO INCLUDE STRATEGIES TO ADDRESS SCHOOL SAFETY AND DISCIPLINE CONCERNS; TO DIRECT THE BOARD OF GOVERNORS IN CONSULTATION WITH OTHER AGENCIES TO DEVELOP A TRAINING PROGRAM TO PROMOTE LOCAL COLLABORATION ON SCHOOL SAFETY AND DISCIPLINE ISSUES AND TO MAKE AN APPROPRIATION FOR THIS PURPOSE; TO APPROPRIATE ADDITIONAL FUNDS FOR ALTERNATIVE SCHOOLS; AND TO MAKE TECHNICAL AND CONFORMING CHANGES, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Preston and Culpepper (Co-Sponsors); Hurley, Redwine, Smith, Tolson, and Wright:

H.B. 513, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT, is referred to the Committee on Judiciary I.

By Representative McMahan:

H.B. 514, A BILL TO BE ENTITLED AN ACT TO EXTEND THE NUMBER OF YEARS FOR WHICH A TAXPAYER CAN REQUEST A PROPERTY TAX REFUND FOR TAXES IMPOSED AS THE RESULT OF A CLERICAL OR MATHEMATICAL ERROR AND TO ALLOW LOCAL UNITS OF GOVERNMENT TO INCREASE THE ASSESSED VALUE OF PROPERTY FOR THE SAME NUMBER OF YEARS WHEN THE VALUE WAS DETERMINED BY ERROR, is referred to the Committee on Finance.

By Representative Morgan:

H.B. 515, A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 516, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN COLUMBUS COUNTY, is referred to the Committee on Local and Regional Government II.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 2,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A LATER PRIMARY DATE; TO ABOLISH THE RUNOFF PRIMARY; AND TO CHANGE THE DATE OF THE PRESIDENTIAL PRIMARY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Hill, that the House adjourn, upon dissolution of the Joint Session, to reconvene Monday, March 17, 1997, at 7:00 p.m. The motion carries.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
March 13, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that pursuant to **S.J.R. 334,** A JOINT RESOLUTION INVITING THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED STATES, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

JOINT SESSION

The Sergeant-at-Arms is recognized and he announces the approach of the Associate Justices of the Supreme Court and the Chief Judge and Judges of the Court of Appeals, who are seated for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Council of State and the Governor's Cabinet, who are seated for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the arrival of the Senate and its officers at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Dennis A. Wicker, is seated to the right of the Speaker.

The Speaker extends the courtesies of the gallery to Mrs. Carolyn Hunt, First Lady of North Carolina; Mrs. Alisa Wicker, wife of the

Lieutenant Governor; and courtesies of the floor to Secretary of Defense William Cohen; Secretary of Education Richard Riley; members of the Governor's Cabinet; members of the Council of State; the Associate Justices of the Supreme Court; the Chief Judge and Judges of the Court of Appeals; and all invited guests.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House is recognized and he announces the approach of His Excellency, James B. Hunt, Jr., Governor of North Carolina. The Governor is seated to the right of the President of the Senate.

The Sergeant-at-Arms of the House is recognized and he announces the approach of His Excellency, William J. Clinton, President of the United States, who enters and proceeds to the Well of the House.

The President of the Senate presents the Honorable William J. Clinton, President of the United States, to the Joint Assembly, and he makes the following remarks.

REMARKS OF
PRESIDENT WILLIAM J. CLINTON

"Thank you very much. Lieutenant Governor Wicker, Speaker Brubaker, Senator Basnight, the other state elected officials who are here; my good friend, Governor Hunt; Mayor Fetzer. I'd like to thank those who came down here with me today. I brought some of the members of your congressional delegation home -- they don't need to hear this speech, they've heard it before, but I was glad to have them here in moral support -- Congressman David Price; Congressman Bob Etheridge, your former Superintendent of Education; Congressman Mike McIntyre; and Congresswoman Eva Clayton. I thank them for coming.

"I also want to say I'm glad to be joined today by your neighbor, the Secretary of Education, Richard Riley, former Governor of South Carolina -- and by our new Secretary of Defense, Bill Cohen of Maine. We're glad to have him with us today, too. Thank you, Secretary Cohen, for coming.

"I was glad that you mentioned my Chief of Staff, Erskine Bowles. He wouldn't come here with me today because he was afraid all of you would think that he was shirking his duties and not at work. But let me tell you, he is doing a magnificent job. I'm very proud of him. I couldn't believe it

when he agreed to come back to Washington and take this job -- especially because I knew it would cost him a small fortune. And he reminded me that his father used to tell him, once you have the tools, you've got to spend some time to add to the wood pile. So, he's up in Washington adding back to the wood pile. And you should all be very proud of him. He is a remarkable man. He's doing a good job.

"I'd also like to thank the other North Carolinians on my staff -- two of the three of them are here today. Doug Sosnik, my former political director and senior counselor, is not here; but my Director of Communications, Don Baer, is here; and Charles Duncan, the Associate Director of Presidential Personnel. They both came home with me and they were glad to have the excuse to come home. And I appreciate their being here and their service.

"I was told that this was the first time a sitting President has addressed the North Carolina State Legislature. If it's not true, don't disabuse me now, because I'm about to say something here. And I am very honored to be here. Even more important, I've spent a little time here over the years and I am honored and mildly surprised that you are here, because it's tournament time and you've got four teams, as usual, in the tournament.

"You may know that I am something of a basketball fanatic. And you may know that one of my most memorable basketball experiences -- I once saw North Carolina and Kentucky play in the Dean Dome, and the car that I came in was towed. But I had so much fun at the ball game, I would have walked all the way back to Arkansas after it was over. I make it a point never to take sides in basketball games unless my home team in Arkansas or my alma mater, Georgetown, are playing. But I am looking forward to the day when the great Dean Smith breaks Adolf Rupp's record.

"There is much for the rest of the nation, and especially the rest of the South, to admire in North Carolina -- the determined and visionary leadership that has characterized this state for many decades in education and economic development, in bringing harmony among peoples of different backgrounds.

"When I was a young man, I followed the work here of then-Governor Terry Sanford, who later became my friend and colleague. Eighteen years ago, when I first started my career as Governor of Arkansas, my best mentor and friend was Jim Hunt. And he is still my mentor and friend. Dick Riley was laughing with Jim Hunt -- we were together 18 years ago as the Governors of Arkansas, South Carolina and North Carolina, and we were laughing that Jim was probably the only one of us who could still get

elected governor in our home states after 18 years. And I applaud him on that.

"It was in Chapel Hill that the cornerstone was laid at our nation's first publicly funded university, in Kitty Hawk where man first took to the skies. And today, North Carolina is an aeronautics and an air travel hub center for millions of people. Your state universities receive the highest level of funding for research and development in the nation. You have connected more of your communities than any other state in the country to the Information Superhighway -- something I'm trying to do for every classroom and library in America by the year 2000. The Research Triangle has one of the highest per capita concentrations of Ph.D.'s in the world, and you are clearly one of America's most dynamic centers of economic activity.

"The most important thing about all this is not for me to brag on you, you know that already, but to emphasize the main point: these things do not happen by accident. They are the product of vision and disciplined, long-term effort.

"Now, our country faces the challenges of a new century -- a whole new economy, a whole new way in which people will work and live and relate to each other here at home and around the world. It is driven by information and by technology. Its best hopes may be undermined by its darkest fears, by the old demons of racial and religious and ethnic hatreds, by terrorism and narcotics trafficking and organized crime.

"This new time that we're moving into, that coincidentally, will be part of a new century and a new millennium, will give more people in this state and this nation the chance to live out their dreams than at any period in human history if we take advantage of it to seize our opportunities and deal with our challenges.

"There is unprecedented peace and prosperity now. And it has been very rare in our country's history -- you can go back and find maybe a couple of other examples when we've had real security, a feeling of prosperity, and yet, a whole lot of challenges before us. Usually when people feel secure and relatively prosperous, one of two things happens -- neither of them very laudable, but it's part of human nature -- we either get sort of happy and self-satisfied and don't do anything, or because we are not gripped by big differences, we fall out with each other over small things. And petty things make us less than we ought to be.

"The point I want to make today is that we cannot afford either to be complacent or to be divided among ourselves about small things. For we have been given an opportunity almost unique in American history to fashion a future that will embrace everybody. And we cannot and dare not blow that opportunity.

"If you look at where we are now, you can see the vistas of the future. Our economy produced 12 million jobs in four years -- never happened before in a four-year period. We've had constant decline in crimes. We've had the biggest drop in the welfare rolls in American history in the last four years. In North Carolina, you've seen the unemployment rate drop to 4.2% -- 75,000 people off the welfare rolls, 350,000 new jobs. That's going on all over America. But you know that we have more to do.

"I have been going around the country to the Michigan and the Maryland State Legislatures -- today the Vice President is in California speaking to the State Legislature as I am here with you -- because I know that to achieve the vision that we share for America, we all have to do our part. I've said many times that the era of big government is over. Your federal government is now 285,000 people smaller than it was the day I took office. It's the smallest its been since President Kennedy was in office, in real terms. As a percentage of the civilian work force, the federal government is now as small as it was when Franklin Roosevelt was sworn into office the first time, before the New Deal.

"But the challenges we face are still very big, indeed. If they cannot be solved by government alone, and especially by the federal government, obviously, a new partnership is required. And new efforts, new activity, new responsibility is required of people at the state level, at the local level and in their private lives. The biggest challenge we face today, I believe, is the challenge of creating a world-class education system that embraces every child that lives in this state and in this nation. And this must not be a political football.

"In the Cold War, because we knew that communism threatened our existence, it became commonplace that politics would stop at the water's edge. And the Democrats and the Republicans would fight like cats and dogs over whatever it was they were fighting about, but when it came to standing up to the threat of communism we were together. If the President of one party went abroad on a mission of world peace, he was never criticized back home by members of the other party, because politics stopped at the water's edge.

"I think we understand today, intuitively, that education holds the key to our future in the 21st century. And I believe politics must stop at the schoolhouse door.

"When I was governor, a long time ago now, North Carolina already had the highest percentage of its' adults in institutions of higher education of any state in the South. The economy was growing and it was diversifying, and yet you still had more success in maintaining manufacturing jobs than any state in our region, and indeed, in the country. You know all this. Last year, you had the biggest increase in 8th grade math scores, I noticed, in the country. I was in Michigan and I said that they had had the second biggest increase in math scores, and the minute I got in the car, Governor Hunt made sure I knew who was number one. So I knew that.

"The Governor chose to be sworn in at Needham Broughton High School, his old school, to make clear that school standards and teaching excellence will be his top priorities. But with all the progress that we have made, you know we've got a lot more to do.

"Between 1992 and the year 2000, 89% of the new jobs created in this economy will require more than a high school level of literacy and math skills -- 89%. Today, even though over 80% of our children are graduating from high school, more than half -- or about half the people entering the work force, are not prepared with these skills. We all know that is true.

"For 20 years, inequality among working Americans grew. In the last few years it started to shrink -- in the last couple of years -- as we've gotten -- more and more of our new jobs are becoming higher-wage jobs, as growth and productivity are permitting wages to rise again.

"Many people, just a couple of years ago, were saying, well, is the middle class vanishing in America? Will it always be squeezed? Are we going to create a country with a huge number of people that are very well off and an even much larger number of people that are poor, with a smaller middle class? We've seen in the last few years that that does not have to happen. We can begin to grow the middle class again with productivity and growth and the right kinds of new jobs, but we have to be able to provide the people with the skills to hold those jobs if we're going to maintain a high-wage, high-growth, high-opportunity society in America in the 21st century. And our schools are still turning out millions of young people who simply cannot do that.

"That is why our number one priority has to be to make America's education the best in the world. We have to have a nation in which every 8 year-old can read independently, every 12 year-old can log on to the Internet, every 18 year-old can go on to college and every adult American can keep on learning throughout an entire lifetime.

"In my State of the Union address, I laid out a 10-point call to action for American education that describes the steps we have to meet. First, we have to make sure that all of our children come to school ready to learn. Our balanced budget will expand Head Start to a million children. But we all must do more, and a lot of that has to be done at the state level. And I hope every state in the country is looking closely at the Smart Start program in North Carolina.

"The idea of having all elements of a community -- in a community nonprofit environment -- working on not only education, but health care and parenting skills and child care -- trying to give our poorest children a coherent early childhood is terribly important. Scientists have discovered that learning begins in the earliest days of life. And now, we have to explore how parents and educators can best use these findings.

"On April 17th, the First Lady and I will host the White House Conference on Early Childhood Development and Learning in Washington, and I want Smart Start to be an important part of what is considered there.

"Let me just give you one simple example of the scientific findings. Over half of the capacity of the brain to absorb and to learn and to grow, the capacity is developed in the first four years of life. In the first four years of life, if a child has parents who understand this and who constantly -- whether they have a Ph.D. or they were high school drop-outs -- but who constantly work at nourishing the child's learning capacities, that child will get 700,000 positive contacts.

"But in the typical experience of a child with a single parent, let's say, with very little education and no self-confidence about parenting, and no training and no understanding, and a sense that no difference can be made, and the child that's left in front of the television in the first four years, that child will get 150,000 positive contacts -- a more than four-to-one difference.

"Now, you tell me what the future is going to be like for them. Smart Start can change that. And our cooperative efforts can change that. But we have to understand that we have totally underestimated the impact of this

whole thing. And the new scientific findings impose upon all of us a heavier responsibility than we have ever had for developing the capacities of our children in their earliest years. So I look forward to that.

"I believe we have to do more to give constructive alternatives, creative alternatives for our young children in our public schools. I favor public school choice. I've been a pioneer supporter of the charter school movement. I think that it's important to open schools that stay opened as long as they do a good job, but only as long as they do a good job. And I know that this afternoon, your State Board of Education has the opportunity to open more charter schools than any state has ever opened at one time, to foster innovation and competition and renewal. I hope the Board will take that step today, and one more time, North Carolina will be in the vanguard of a movement you can be proud of.

"We have got to have a commitment to rebuild our schools and give our children the facilities they need to learn in. We have the largest number of children in public schools in history. The Secretary of Education never gets tired of reminding me, since I am the oldest of the baby boomers, that our generation has finally been eclipsed in numbers by the people that are in the public schools today. We also have the physical facilities, in many of our schools, deteriorating at a rapid rate. So, for the first time in history, I have proposed a program that will enable us, at the national level, to support local efforts to increase their investment in the physical facilities of the schools by making sure that the interest rates are lower and the costs are lower in the places where the need is most critical.

"I'm going to Florida after I leave you, and tomorrow morning, I will be at a school where there are 17, I understand according to my briefing -- 17 trailers for classroom space around the existing school facility in a modest-sized community in Florida. That is not an atypical experience in many of our states.

"We have to meet our national goal of connecting every classroom and library to the Internet by the year 2000. We have to open the doors of college to all. North Carolina pioneered, with your network of four-year and two-year higher educational institutions, pioneered the idea that education ought to be a lifetime experience and that the doors ought to be open to everyone.

"In the last four years, we have lowered the cost and improved the reach of the student loan program, added 200,000 slots to work-study, opened up almost 70,000 slots for college through the national service

program, AmeriCorps. We have worked very, very hard, but I think we have to do more.

"It is clear to me -- if you look at the job profile, where 89% of the new jobs will require more than a high school education, we have to make two years of education after high school -- the 13th and 14th grades -- just as universal in America by the year 2000 as a high school diploma is today -- every bit as universal.

"To achieve that our balanced budget plan proposes a $1,500 HOPE Scholarship -- a tax credit that reflects the cost of the typical community college tuition in America, modeled on Governor Zell Miller's HOPE Scholarship program in Georgia. We propose to give people a tax deduction of up to $10,000 a year for the cost of any education after high school; an expanded IRA that you can withdraw from, tax-free, if the money is used to pay for higher education; and the largest increase in Pell Grants in 20 years, along with another 100,000 work-study slots. That will help North Carolina, and it will help America.

"Finally, let me say on this subject, we know we have to make sure learning continues throughout a lifetime. We know that we have older and older students going back to community colleges, changing their careers and getting new careers and opening up new vistas. We have a federal response which I think is totally antiquated. There are at least, conservatively speaking, at least 70 different federal programs that were developed with the best of intentions to try to help to pay for various training programs for people who lose their jobs or people who are grossly underemployed.

"I have proposed for four years -- with a Democratic Congress and with the Republican Congress -- getting rid of these programs and putting the money in a pot and sending a skills grant to an unemployed person or an underemployed person who has qualified for any of them, and let them go to the nearest community college or four-year college, if it's the appropriate one -- whatever is nearest and best to get their education. We do not need a lot of government intermediaries here. People know -- people know what they need. They're capable of making a judgment.

"In a state like North Carolina and most places in the country, nearly everybody's within driving distance of a community college that works. And that's -- I call that my G.I. Bill for America's Workers. And if you could prevail upon your legislators to support it, I would appreciate it. I've been trying for four years to pass that thing. I would appreciate it.

"I think the most important thing we have to do is to make sure that our children have met certain national standards in basic courses. In 1989, when President Bush and the governors met at the University of Virginia, I had the honor of being the Democratic governor chosen to try to write the nation's education goals. And at the time, we always assumed that out of those goals there would come national standards and a system, a nationally recognized system of testing our children to see if they met those standards.

"Well, that hasn't happened yet. And as a result, we still don't know. We don't really know whether every child in every classroom knows what he or she needs to know when he or she needs to know it in math and in basic language skills. I have challenged every state in this country to adopt high national academic standards, not just in math and language, but in other areas as well, to participate nationally by 1999 in an examination of 4th graders in reading and 8th graders in math, so that we can see how every child is doing in meeting those basic standards.

"Now, this is, I know, somewhat controversial. There are people who have actually argued that you couldn't possibly have a national examination reflecting national standards in a country as diverse as America -- as if it's some sort of plot, as if math is different in Raleigh than Little Rock; or any board of education could rewrite the rules of algebra for Alaska as opposed to Florida. I think that is inherently implausible.

"When you compete here in North Carolina for a new high-tech plant, when the Research Triangle finds some new breakthrough, you do it based on an international competition -- you have to win based on standards that are imposed. We have to be willing to hold our children to the same standards and to hold ourselves to the same standards.

"Governor Hunt told me, today, that he will endorse our call for national standards and a testing plan. North Carolina, therefore, would be the third state to do so. The Republican governor of Michigan joined in, along with his legislative leaders, just a few days ago.

"But let me say what I think we need to do. A lot of you know a lot about this. We have some standardized tests in America, but we don't have any tests to nationally accepted standards. The closest we have is the so-called NAEP test, the National Assessment of Education Progress. But, as all of you know, it only is given to a sample of students in various districts. There is no examination in America which says, here are the standards that everyone should know in language or math, and here is a test which reflects those standards; and it doesn't matter whether you're first or last in your

class, it matters whether you get over this bar. If you're first in your class and nobody is over this bar, nobody knows what they need to know. If you're last, but you're over the bar, you're still going to do okay in this old world.

"I think that is very important. We all need to know that. You know -- and let me also say that I know it won't be easy, because some of our kids won't do all that well at first. If you saw the State of the Union address, you know that I introduced two students from 20 school districts in Northern Illinois who took the Third International Math and Science Survey and the 20 school districts up there tied for first in science and second in math in the survey, with Singapore for first. But, if they had finished dead last, I would have been equally proud of them because they were willing to actually hold themselves to international standards of achievements and measure themselves.

"And this is where we need all of your help. I'm convinced that one of the reasons that we've never done this in America is that we were afraid if the news was bad we wouldn't know what to do about it. And I think that in so doing, we have sold our children short. All the evidence is, all the scientific evidence is, all the anecdotal evidence is, that almost all of our children, without regard to their race, their income and where they live, can learn what they need to know to compete and win in the global economy. And when we do not hold them to high standards because we are afraid that in the beginning they won't meet them, we are selling their futures down the drain and we are insulting them, because they can meet these standards.

"What we have to be willing to do is to say, okay, we'll have these exams, we'll hold people to high standards; some people won't make it first; we don't want to punish people, we want to lift everybody up; but we can't know how to lift people up unless we know where we start.

"When I go around the world, people find it unbelievable that we have no national standard in America to tell our parents and our school leaders whether our children know what they're supposed to know in the basic skills that are necessary to learn all the other more sophisticated things we want people to know.

"And I tell you, I believe in the kids of this country. I have been in schools in circumstances where it would be unthinkable that people could learn -- because of crime in the neighborhoods and because of poverty in the neighborhoods. And I have seen children performing at very high levels, meeting standards that would be acceptable in any place in the entire

world. And I am tired of people telling me that there is some reason we shouldn't have that opportunity given to every American child. We are not protecting our children by denying them the chance to develop their God-given capacities to measure up to what they need to know and do, to do well in the future. And we ought to stop it and do better.

"Now, on a lighter note, you may wonder why the Secretary of Defense is here with me today. Before I came down here, Senator Helms asked me to tell you that he is not the guard that Jesse once said I would need to come to North Carolina. Ever since I got a Chief of Staff that does not speak with an accent, we've been getting along a lot better, Senator Helms and I.

"There is another reason that the Secretary of Defense is here today. We want to set an example -- we think we ought to start the standards movements with the schools that we run at military bases. At 66 schools across our country and 167 more around the world, our Department of Defense educates 115,000 of our children every year. The Department of Defense runs a school system as big as that of the State of Delaware. And I met some of the children, some of the teachers and some of the parents out at the airport when I came in today.

"Sixteen of those schools are at Camp LeJeune and Fort Bragg, right here in North Carolina, and nearly 8,000 students attend them. It's important that we give these children the best possible education, too -- especially these children -- because their families sacrifice, they live far from home, they often risk their lives for their country. It's important, too, because these students come from every racial and ethnic background. They move from place to place as their parents are transferred from base to base.

"Because of this mobility, no group of students better underscores the need for common national standards and a uniform way of measuring progress than this group. If standards can work in these schools, they can work anywhere.

"So I am pleased to announce today that, with the strong support of the Secretary of Defense, the Department of Defense schools have stepped forward to ask that their students be among the first to take the new tests when they become available. The Secretary of Defense and Secretary of Education Riley have both committed their work.

"Starting in 1999, students in classrooms, from Wiesbaden Air Force Base in Germany to Kadena Air Force Base in Okinawa, to Camp LeJeune

will learn the same rigorous material and take the same national tests as students throughout this state, and I hope throughout our entire nation. We can make our public schools just like our military, the best on Earth, if, like our military, we are willing to adhere to high, rigorous standards for all people, regardless of their background. That's what we ought to do.

"And I thank you, Mr. Secretary, for being here today.

"Let me also say that we know we have to do more work to prepare all of our students. And the Department of Defense is being directed today through its school system to use every resource to prepare the students for 1999 when the new math and science tests -- or math and reading tests are ready.

"Let me mention one other thing that I think is very important, and it goes well with a lot of what you are doing here with your pre-school years and your early years. It is appalling to me that 40% of America's 8 year-olds cannot read a book on their own. But it's true. And the rest of this stuff is just sort of whistling in the breeze if people can't read. So we have launched the America Reads Initiative, through the Department of Education, to mobilize an army of a million reading tutors, properly trained, to help make sure that by the year 2000 every 8 year-old can read independently.

"Thirteen North Carolina college presidents have pledged to commit a portion of their work-study students to serve as tutors, and I thank them for that. We're going to have 300,000 new work-study students over a four-year period. If we can put at least a third of them into reading instruction for our young children, we'll be a long way toward those million volunteers.

"We ought to be clear about something else, too -- and here's something that I really take my hat off to Governor Hunt for. We cannot expect our children to meet high standards unless we demand that our teachers meet high standards. We have to do whatever is necessary to make sure that they do.

"Last year, the report of Governor Hunt's National Commission on Teaching and America's Future laid out a blueprint for the road ahead. And all of you have, together across party lines, to develop a comprehensive legislative agenda that implements the report's recommendations. We have to start by recognizing and rewarding our best teachers. We all know what a difference a good teacher can make in the life of a child. I know what a difference my teachers made in mine.

"The National Board for Professional Teaching Standards, led by Governor Hunt, has encouraged teachers all over the country to improve their skills and seek certification as master teachers. North Carolina already has more certified national teachers than any other state in the country. And the Governor was kind enough to bring five or six of them out to the airport to meet me, and they were not ashamed of the fact that they had been board-certified master teachers.

"Over 20% of all the teachers that have been certified are here in North Carolina. That's the good news. The bad news is that only about 500 teachers have been certified. In our balanced budget plan, there's enough money to help 100,000 teachers achieve this important credential. Now, the states need to do things like North Carolina has and offer to pay -- the Governor's plan would pay master teachers another 12% more. You have to encourage people. But we need 100,000 at least, because what we really want is at least one board-certified master teacher in every single school building in America. If you get one in every single school building in America, we know from the research that they will change the education environment and help lift the standards that other teachers achieve and help to lift the quality of teaching in all the classrooms.

"So that is one of the things that we're trying to do in our budget. But again, I'd say that we are following your lead and especially the years and years and years that Governor Hunt has put into this. In April, Secretary Riley will hold a national forum on attracting and preparing teachers with 50 of our nation's best teachers and thousands of others. And we are going to have to do more to encourage our brightest young people to become teachers.

"Finally, we also have to make sure, as the Governor said, that while good teachers get a raise, the truly bad teachers who can't measure up should get a pink slip. We have to do that in an expeditious and fair way. Today, that is too time consuming and costly. In some states, it can cost hundreds of thousands of dollars. That same money could be and should be used to reward good teachers and to train those who are trying to improve their skills. We can change this, as they have in Cincinnati where school boards and teachers' unions have worked together in partnership to find more efficient and fair ways to remove teachers who should leave the classroom. Encouraging teachers is not easy or cheap, but again, I say, we know what a phenomenal difference it makes.

"Finally, to elevate teaching, I think we have to reform the way we spend money in our schools and give parents the tools to demand more

accountability. Today, the Vice President is discussing that at the State Legislature in Sacramento, California. His re-inventing government initiative has helped us to shrink the national government to the smallest it's been in three decades and to take that money and invest it in education, invest it in technology, invest it in transportation, invest it in growing the economy and building a better future. We have to have the same sort of national effort to analyze the way expenditures are made in public education throughout America, so that we can support those who are committed to reducing unnecessary bureaucratic expenditures and increasing expenditures on children and teachers and learning.

"Yesterday, I did a town hall meeting, with 35 children, on drugs. And I asked all these kids -- and some of these kids had been on drugs and were off drugs, a couple of these kids were in treatment, some of them had been in families of gang members who had been involved in drugs, and then some of them had never used drugs. It was a whole panoply of kids. But I went through child after child after child, and I asked them to tell me about their circumstances. And they all said, we need mentors, we need programs we're interested in. And one after another, they kept telling me about how their school had had to abandon its music program or its art program, its physical education programs, its intramural athletic programs -- all the things that happen after school or on weekends that keep kids involved in positive things.

"We have to understand that however much money we have for our schools, we have to make sure we are spending it first and foremost on instruction and, secondly, on ways designed to give the children the best chance to live productive, wholesome, good, constructive lives -- and that ought to be a national effort as well.

"We have found phenomenal amounts of money that we could redirect in the federal government to reducing the deficit or investing in our future simply by slowly, but deliberately, eliminating hundreds of unnecessary programs, thousands of unnecessary regulations and reducing -- without running people off -- just slowly reducing the size of government until we have got it to the point where I mentioned to you earlier.

"And we have to work on that in our schools because we cannot afford to waste a single dollar when it comes to these children's future. And it is folly to believe that we're not paying for it when we take these kids away from a chance to have a full, wholesome experience and to be in those schools after school hours or before school hours and doing things in addition to their academic learning. So I hope you will support that.

"Let me just say one final word in closing about another big job we have to do together. We have to finish the work of welfare reform. In the first four years of my presidency, we gave waivers from federal rules to 43 states to do all kinds of things to help move people from welfare to work. We now know that partly because of the growing economy, partly because of state welfare reform efforts, and partly because of a 50% increase in child support collections nationwide, the welfare rolls went down by 2.6 million in four years -- a record number.

"Then the Congress passed and I signed the welfare reform bill, which says there will still be a national guarantee for poor children for food and medicine, but there's a limit to how long an able-bodied person can be on welfare without going to work. And we're going to give it to the states and let the states decide how to design their plans to move people from welfare to work.

"Well, what I want to tell you folks is that this is like that old country singer, Chet Atkins, used to say, 'you've got to be awful careful what you ask for in this old life, because you might get it'. And now you've got it. And here is what you have: in order to meet the demands of the law that was supported by almost every governor and every state official in the country, we must move about another million people from welfare to work. Now, keep in mind, when we reduced the welfare rolls by 2.6 million, some of those were children -- only about a million of those were people moving from welfare into the work force. So we moved a million people in four years when the economy created almost 12 million jobs. We have to move another million in the next four years because of what the law says, whether the economy creates jobs or not. And it is your responsibility to design a plan to get that done.

"Now, I want to help. And I have proposed federal legislation to give a tax credit of 50% for up to $10,000 in salaries for people who hire people specifically off welfare. I have proposed to give extra cash to high-impact, high-unemployment areas so people can do public service work, community service work, if necessary.

"But there are more things you can do. Your Work First program here in North Carolina is encouraging private employers by subsidizing paychecks and holding job fairs. These are the kinds of things we have to do everywhere. But you really need to look at how your program works. And you need to look at whether you have a system for challenging private employers to look at the incentives that are available. And you need to figure out how many people every county is going to have to move from

welfare to work in order for you not to have a train wreck at the end of the next four years.

"Every state has to do this. And it's going to have to be done county by county, community by community. Because I'm telling you, everybody that ever said people who are able-bodied on welfare ought to have to work now has a moral obligation to make sure that the people who have been told they have to work actually have jobs so they can work. We have to do that.

"Let me just say -- I have been to a lot of states and looked at a lot of programs. In Missouri, they go to employers and say, we'll give you the welfare check for up to four years if you need it; but you have to pay people $1.75 over the minimum wage and we'll give you the welfare check as an employment-in-training supplement. And you can have it for a slot, but not for a particular individual, for up to 10 years if you'll just keep being part of our program. So they've got a lot of employers -- small, medium and large -- who are part of that.

"You have to do something like that to do something for the employers who are not taxed. Community nonprofits and religious organizations can hire a lot of people from welfare into their ranks, and have a lot to do with integrating their families into the mainstream of life in North Carolina. But they have to have some incentive to do so.

"The second thing I would urge you to do is to make sure that as you realize savings from people moving from welfare to work -- I think you can meet your goals better if you turn around and invest at least the initial of those savings back into the transition. We did a good job of adding $4 billion to child care for people moving from welfare to work. But we still may not have enough child care to do the job. And we know that is a huge barrier. You cannot ask people to hurt their kids when they go to work. And a lot of folks entering these entry-level jobs don't make much money. Now, we can carry them over with Medicaid health insurance for their kids for a while -- they've got to have the child care.

"This bill gives you a lot of flexibility and now you have to design this program. I would just implore you to really get down to brass tacks, get the facts. How many people does North Carolina have to move from welfare into jobs in four years? How many is that per county? How many is that per community? What are the tools we have? Who have we asked to do the job?

"I believe that the private sector is anxious to be asked to participate in

this. I believe they want to end the permanent underclass in America and help people move into the thriving, growing middle class. But we have to do it in an organized, disciplined way state by state. We're going to do our part, but we need you to do yours.

"Finally, let me say that it is obvious from looking at education that we have to have a new partnership in America. Washington can lead the way, but the work has to be done by all Americans. North Carolina has led the way for a long time.

"I was smiling today when I got up and I thought about coming down here, and I thought about the first time I was ever in a meeting with Governor Hunt and Governor Riley -- 18 years ago -- we were all much younger then. And we had this idea that all the southern states would reach the national average in per capita income and have all these great opportunities for our people if only we could have an education system that was as good as anyplace in the country and it would reach everybody, without regard to race or income.

"And, ironically, the mission that many of us who are Southerners have carried for 20 or 30 years in our hearts is now the mission of America in a global society dominated by information and technology. And it is within our reach, literally, to give every single child in America the greatest future in human history if we create the conditions in which we can flourish -- that's partly our job, through national defense and meeting the security challenges and providing a good economy -- but also having the tools.

"We cannot guarantee the future for any child, but we can give every child the tools to make the most of his or her own life. That is now America's mission. It is a mission this State has pursued for a long time. If you will lead the way, America's best days are still ahead.

"Thank you and God bless you all."

Upon completion of his address, the President leaves the Hall of the House.

On motion of Senator Basnight, seconded by Representative Morgan, the Joint Session is dissolved and the Senate and the House of Representatives stand adjourned at 11:59 a.m.

TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 17, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Capps.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-0).

Leaves of absence are granted Representatives Easterling and Nichols for today. Representative R. Hunter is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Allred for the Committee on Ways and Means:

S.B. 84, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE WITHIN THE CANALS AND WATERWAYS OF THE EIGHT AND ONE-HALF MARINA CONDOMINIUMS IN THE TOWN OF ATLANTIC BEACH, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of March 18. The original bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL PURPLE HEART AWARD REGISTRATION PLATES SHALL

BE ISSUED WITHOUT A FEE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on State Government.

The committee substitute bill is re-referred to the Committee on State Government. The original bill is placed on the Unfavorable Calendar.

H.B. 205, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITIONS OF "OUT-OF-STATE DRIVING CONVICTION" AND "MOPED" USED IN THE MOTOR VEHICLE LAWS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

H.B. 206, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE PERFORMANCE AUDIT OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION BY ELIMINATING THE POSITION OF COMMISSIONER OF MOTOR VEHICLES AND ALLOWING THE SECRETARY OF TRANSPORTATION TO DESIGNATE A DEPUTY TO BE THE HEAD OF THE DIVISION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 18.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 256, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REPORTING OF THE USE OF FUNDS FOR PUBLIC SCHOOLS AT THE UNIT AND BUILDING LEVELS; TO ALLOW THE STATE BOARD TO SUSPEND LOCAL BUDGET FLEXIBILITY IF A LOCAL BOARD FAILS OR REFUSES TO COMPLY WITH LAWS AND RULES CONCERNING THE BUDGETING, MANAGEMENT, AND EXPENDITURE OF PUBLIC SCHOOL FUNDS; TO PROHIBIT LOCAL BOARDS FROM USING STATE AND LOCAL FUNDS TO BUY OUT SUPERINTENDENTS' CONTRACTS; AND TO MAKE AN APPROPRIATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Tallent, Hiatt, and Church, Co-Chairs, for the Committee on Commerce:

H.B. 95, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A THREE-YEAR CYCLE FOR BUILDING CODE AMENDMENTS BEGINNING IN 1999 AND TO MAKE RELATED CHANGES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THE STATE BUILDING CODE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 18. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

Committee Substitute for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS; and

H.B. 286, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF DORTCHES AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Sutton, Bonner, Warner, and Yongue:

H.B. 517, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR RAISING FUNDS FOR CONSTRUCTION OF THE NORTH CAROLINA INDIAN CULTURAL CENTER PROVIDED

THAT THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., REORGANIZES ITSELF TO FACILITATE THE FUND-RAISING PROCESS, is referred to the Committee on State Government.

By Representatives Allred, Berry, Cole, Creech, Eddins, Gulley, Howard, Justus, McComas, Sexton, Starnes, C. Wilson, and Wood:

H.B. 518, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FIVE-YEAR REGISTRATION PLATES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Owens, Alexander, Baddour, Beall, Bonner, Boyd-McIntyre, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Dedmon, Dickson, Earle, Easterling, Eddins, Fitch, Fox, Goodwin, Gulley, Hackney, Hall, Hardaway, Hensley, Hill, H. Hunter, R. Hunter, Hurley, Jarrell, Jeffus, Kinney, Kiser, Luebke, McComas, McCrary, Mercer, Michaux, Miller, Moore, Nesbitt, Nichols, Nye, Oldham, Preston, Ramsey, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Thompson, Tolson, Warwick, Watson, Wilkins, G. Wilson, and Yongue:

H.B. 519, A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY (1) AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS, LOANS, AND REVOLVING LOANS TO LOCAL GOVERNMENT UNITS FOR WATER SUPPLY SYSTEMS, WASTEWATER COLLECTION SYSTEMS, WASTEWATER TREATMENT WORKS, AND WATER CONSERVATION PROJECTS, (2) APPROPRIATING FUNDS FOR GRANTS FOR REGIONAL WATER SUPPLY SYSTEM PLANNING, AND (3) EARMARKING A PORTION OF GENERAL FUND INVESTMENT EARNINGS FOR GRANTS FOR NATURAL GAS EXPANSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtry:

H.R. 520, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF THE NORTH CAROLINA MUSEUM OF ART, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Buchanan:

H.B. 521, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DYSART-KENDALL POST NO. 29, INCORPORATED, TO REPAIR THE HISTORIC AMERICAN LEGION BUILDING IN THE CITY OF LENOIR, is referred to the Committee on Appropriations.

By Representative Buchanan:

H.B. 522, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION, is referred to the Committee on State Government.

By Representatives Wilkins, Baddour, Carpenter, Clary, Cole, Dedmon, Gulley, Justus, Kiser, McCrary, Mercer, Owens, Rayfield, and Smith:

H.B. 523, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONFISCATED WEAPONS MAY BE KEPT FOR DEPARTMENTAL USE BY LAW ENFORCEMENT OFFICERS, is referred to the Committee on Judiciary II.

By Representatives Morris, Brawley, Carpenter, Gulley, Rayfield, and Starnes:

H.B. 524, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN A FUND FOR ALCOHOL STUDIES ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Morris, Arnold, Barbee, Berry, Cansler, Capps, Carpenter, Clary, Creech, Davis, Eddins, Gulley, Hall, Hardy, Ives, Kiser, McComas, McMahan, Mitchell, Neely, Nichols, Rayfield, Reynolds, Sexton, Starnes, and Wood:

H.B. 525, A BILL TO BE ENTITLED AN ACT TO ROTATE PARTY ALIGNMENT ON THE BALLOT, is referred to the Committee on Election Law and Campaign Reform.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 126,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AN APPLICANT FOR A PERMIT UNDER THE STATUTES GOVERNING SOLID WASTE MANAGEMENT BE FINANCIALLY QUALIFIED AND DEMONSTRATE SUBSTANTIAL COMPLIANCE WITH ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 143,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 150, A BILL TO BE ENTITLED AN ACT TO REDUCE THE FREQUENCY OF THE REPORT ON THE INACTIVE HAZARDOUS SUBSTANCE RESPONSE ACT OF 1987 FROM ANNUALLY TO EVERY TWO YEARS AND TO CLARIFY THE PUBLIC COMMENT PERIOD ON REMEDIAL ACTION PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment.

S.B. 187, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS ON ADMINISTRATIVE PROCEDURE, is read the first time and referred to the Committee on Judiciary I.

INTRODUCTION OF PAGES

Pages for the week of March 17 are introduced to the membership. They are: Courtney Renee' Beck of Randolph; Cynthia Ferrell of Johnston; Nicole Gales of Guilford; Channon Renee' Genereux of Johnston; Hiram Frank Grainger, II, of Wake; Kristin Deanna Howell of Ashe; Leah McFarland of Guilford; Nicole Ann McGeary of Richmond; Dustin A. Miller of Onslow; Andrew David Moretz of Buncombe; Matthew Royce Myers of Mecklenburg; Tameika Phillips of Wake; Kenneth L. Pratt of Robeson; Thomas Olyn Robbins of Richmond; Christopher A. Sims of Richmond; Michael Scott Smedley of Union; Shelly Ronita Strickland of Robeson; Natasha Sunday of Forsyth; Matthew Rayland Wilson of Watauga; Frederick Philips Wood, III, of Wake; and Anna Kristen Yarbrough of Guilford.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Decker and without objection, **H.B. 270,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANIA, is withdrawn from the Calendar and placed on the Calendar of March 20.

CALENDAR

Action is taken on the following:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Easterling, R. Hunter, and Nichols - 3.

Representative Morgan states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (111-0).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 85,** A BILL TO BE ENTITLED AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 102, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THERE BE AT LEAST ONE VOTING PLACE IN MITCHELL COUNTY WITHIN EVERY TOWNSHIP THAT EXISTED IN 1995, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 97,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 136,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LATE CHARGES FOR THE LATE RETURN OF RENTED PROPERTY ARE SUBJECT TO SALES TAX AND TO PROVIDE FOR TREBLE DAMAGES IN A CIVIL ACTION TO ENFORCE PAYMENT OF CERTAIN LATE CHARGES FOR THE LATE RETURN OF A RENTED VIDEOCASSETTE TAPE.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley,

Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Allred, Baker, Decker, Hensley, H. Hunter, R. Hunter, Saunders, and Sherrill - 8.

Excused absences: Representatives Easterling and Nichols - 2.

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

Representative Luebke offers Amendment No. 2.

On motion of Representative Luebke, the bill with pending amendment is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 295,** A BILL TO BE ENTITLED AN ACT TO EXEMPT MOST INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX.

Representative Neely requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley,

Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused vote: Representative Neely.

Excused absences: Representatives Easterling and Nichols - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 336, A BILL TO BE ENTITLED AN ACT TO ALLOW TWO MEMBERS OF THE VICTIM'S FAMILY TO BE PRESENT AT AN EXECUTION, passes its second reading, by electronic vote (111-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Amendment No. 2 is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Baddour, Baker, Barbee, Beall, Blue, Bonner, Boyd-McIntyre, Braswell, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Fitch, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Mitchell, Moore, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Tallent, Tolson, Wainwright,

Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 87.

Voting in the negative: Representatives Berry, Brawley, Brown, Buchanan, Carpenter, Decker, Dedmon, Dickson, Dockham, Eddins, Ellis, Esposito, Hardy, Justus, Kiser, McMahan, Miner, Morgan, Morris, Reynolds, Shubert, Starnes, Thompson, and C. Wilson - 24.

Excused absences: Representatives Easterling and Nichols - 2.

The Speaker rules the amendment to be material, thus constituting its first reading. The bill is ordered engrossed and remains on the Calendar.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 183,** A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, is withdrawn from the Committee on Transportation and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Howard, the House adjourns at 7:42 p.m. to reconvene March 18 at 2:00 p.m.

TWENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 18, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Billy Seate, North Raleigh United Methodist Church, Raleigh, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (111-1).

Representatives Alexander, Bonner, Culp, Gray, and Preston are excused for a portion of the session.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

March 17, 1997

MEMORANDUM

TO: Speaker Harold J. Brubaker

FROM: Representative Lyons Gray, Chair of the UNC Board of Governors Committee

RE: Committee Report of Qualified Nominees for House Election to the Board of Governors of the University of North Carolina

Listed below, by category, are the legally qualified nominees for consideration by the members of the House in the forthcoming election to the Board of Governors of The University of North Carolina under House Resolution 323. The names of the nominees are listed in alphabetical order within each category. As required by House Resolution 323, at least two nominees on the ballot are members of the political party to which the majority of members of the General Assembly belong. The members of the Committee voted for the nominees at a meeting on March 11, 1997.

I certify that these nominees are legally qualified to serve and are willing to serve if elected.

CATEGORY	NAME
AT-LARGE (6 Seats to fill)	Bradley T. Adcock

H. Frank Grainger
Harry Clinton Grimmer
Howard H. Haworth
Peter Keber
John R. Lauritzen
Henry McKoy
D. Wayne Peterson
Edward L. Powell
H. D. Reaves, Jr.
J. Craig Souza
Robert Franklin Warwick

MINORITY POLITICAL PARTY
(2 Seats to fill)

John F. A. V. Cecil
William W. Cobey, Jr.
Timothy Keith Moore
R. B. Sloan, Jr.

Pursuant to **H.R. 323,** A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING A PROHIBITION ON NOMINATIONS FROM THE FLOOR, A REQUIREMENT THAT A NOMINEE RECEIVE THE VOTES OF A MAJORITY OF THE MEMBERS PRESENT AND VOTING IN THE NOMINEE'S CATEGORY IN ORDER TO BE ELECTED, AND TO PROVIDE THAT AT LEAST TWO PERSONS ON THE AT-LARGE BALLOT SHALL BE MEMBERS OF THE MAJORITY POLITICAL PARTY, the election is on today's Calendar for immediate consideration.

ELECTION OF MEMBERS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA

Representative Luebke requests that he be excused from voting in the election pursuant to Rule 24.1A and this request is granted.

Representative Gray and the Speaker explain the rules of voting to the membership.

Pursuant to **H.R. 323,** ballots are distributed to the members and the election proceeds.

Representative Gray, along with Representatives Alexander, Culp, and Bonner, retire from the Chamber to canvass the vote.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Ives for the Permanent Subcommittee on Families of the Standing Committee on Human Resources, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 153, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE", with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 19.

H.B. 186, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AMENDMENTS TO THE STATUTES PROVIDING FOR CRIMINAL HISTORY RECORD CHECKS OF INDIVIDUALS INVOLVED IN PROVIDING CHILD FOSTER CARE AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 409, A BILL TO BE ENTITLED AN ACT CLARIFYING WHERE APPEALS FROM AGRICULTURAL EMPLOYERS WILL BE HEARD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 178, A BILL TO BE ENTITLED AN ACT TO EXTEND THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS AND TO ESTABLISH A STANDARD

TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 19. The original bill is placed on the Unfavorable Calendar.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORECLOSURE FILING FEES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Weatherly for the Committee on State Government:

H.B. 31, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE NORTH CAROLINA GOVERNMENT COMPETITION COMMISSION TO PROVIDE FOR BETTER GOVERNMENT IN NORTH CAROLINA THROUGH A COMPREHENSIVE STATE GOVERNMENT COMPETITION INITIATIVE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 122, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 19.

By Representative Neely for the Committee on Judiciary II:

H.B. 250, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE COLLECTION OF AN EMISSIONS PENALTY IN THE LIST OF ITEMS FOR WHICH BRANCH AGENTS OF THE DIVISION OF MOTOR VEHICLES ARE COMPENSATED, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 477, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO ADMINISTER COMPUTER-BASED EXAMINATIONS AND TO KEEP CERTAIN RECORDS CONFIDENTIAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 19.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 29, AN ACT TO INCREASE THE MAXIMUM RAFFLE CASH PRIZES AND THE FAIR MARKET VALUE OF RAFFLE MERCHANDISE PRIZES.

H.B. 77, AN ACT TO DIRECT THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO DISSOLVE CERTAIN AREA MENTAL HEALTH AUTHORITIES.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McComas, Rayfield, and Watson:

H.B. 526, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF WRIGHTSVILLE BEACH TO CREATE A SEA TURTLE SANCTUARY, is referred to the Committee on Ways and Means.

By Representatives Justus, Adams, Aldridge, Berry, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Fitch, Goodwin, Grady, Gulley, Hall, Hardaway, Hiatt, Hightower, Hill, Howard, H. Hunter, Hurley, Ives, Jarrell, Jeffus, Kinney, Kiser, Luebke, McAllister, McCrary, Mercer, Michaux, Miner, Moore, Mosley, Nichols, Oldham, Owens, Preston, Rayfield, Redwine, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick,

Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 527, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE, is referred to the Committee on Judiciary I.

By Representative Carpenter:

H.B. 528, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT 30 AND PROSECUTORIAL DISTRICT 30 INTO DISTRICTS 30A AND 30B, is referred to the Committee on Judiciary II.

By Representatives Clary, Allred, Baker, Berry, Brown, Buchanan, Carpenter, Dedmon, Goodwin, Hall, Hiatt, Justus, Kiser, McComas, Mitchell, Moore, Owens, Rayfield, Reynolds, Weatherly, and G. Wilson:

H.B. 529, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO DEFERRED TAXES ARE DUE WHEN PROPERTY TAXED AT PRESENT-USE VALUE IS TRANSFERRED BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION, is referred to the Committee on Finance.

By Representatives Neely and Brawley:

H.B. 530, A BILL TO BE ENTITLED AN ACT TO EXEMPT SOME CORPORATIONS FROM THE APPLICABILITY OF THE PROFESSIONAL CORPORATION ACT, is referred to the Committee on Judiciary II.

By Representative Mercer:

H.B. 531, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF THE PITT COUNTY ABC BOARD FROM THREE TO FIVE MEMBERS, is referred to the Committee on Ways and Means.

By Representatives Crawford, Fox, and Wilkins:

H.B. 532, A BILL TO BE ENTITLED AN ACT TO DELETE CERTAIN OBSOLETE PROVISIONS AND MAKE CERTAIN TECHNICAL AMENDMENTS IN THE CHARTER OF THE CITY OF HENDERSON AND TO AUTHORIZE ENTRY INTO AGREEMENTS, is referred to the Committee on Local and Regional Government II.

By Representatives Hackney, Alexander, Baddour, and Russell:

H.B. 533, A BILL TO BE ENTITLED AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE A REBUTTABLE PRESUMPTION THAT AN IN KIND DISTRIBUTION OF PROPERTY IS EQUITABLE, TO ENCOURAGE INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, is referred to the Committee on Judiciary II.

By Representatives Hackney, Alexander, Baddour, and Russell:

H.B. 534, A BILL TO BE ENTITLED AN ACT REGARDING THE CONTRACTUAL OBLIGATIONS OF SPOUSES, THE TRANSFER OF PROPERTY AND INCOME WITHHOLDING TO ENFORCE SUPPORT ORDERS, AND THE AWARDING OF ALIMONY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, is referred to the Committee on Judiciary II.

By Representatives Hackney, Alexander, Baddour, and Russell:

H.B. 535, A BILL TO BE ENTITLED AN ACT TO INCLUDE NONVESTED PENSION, RETIREMENT, AND OTHER DEFERRED COMPENSATION RIGHTS AS MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, is referred to the Committee on Judiciary II.

By Representatives C. Wilson, Aldridge, Allred, Baker, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Creech, Culp, Davis, Decker, Dickson, Dockham, Eddins, Ellis, Esposito, Gardner, Gulley, Hardy, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, McComas, McMahan, Miner, Morris, Nichols, Preston, Rayfield, Reynolds, Russell, Sexton, Shubert, Starnes, Tallent, Thompson, Warner, Watson, Weatherly, G. Wilson, and Wood:

H.B. 536, A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, is referred to the Committee on Human Resources.

By Representatives Grady and Morgan (Co-Sponsors); Allred, Baddour, Braswell, Buchanan, Cansler, Capps, Davis, Hurley, Kinney, McAllister, McComas, Morris, Preston, Rayfield, Redwine, Russell, Sexton, Sherrill, Smith, Warner, and Watson:

H.B. 537, A BILL TO BE ENTITLED AN ACT TO PROVIDE RELIEF FOR FEDERAL RETIREES AND THE SURVIVING SPOUSES OF FEDERAL RETIREES, is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Alexander, Bonner, Culp, and Gray - 4.

Committee Substitute for **H.B. 295,** A BILL TO BE ENTITLED AN ACT TO EXEMPT MOST INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX.

Pursuant to Rule 24.1A(c), the request that Representative Neely be excused from voting on March 17 is continued.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused vote: Representative Neely.

Excused absences: Representatives Alexander, Bonner, Culp, and Gray - 4.

House Committee Substitute for **S.B. 84,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE WITHIN THE CANALS AND WATERWAYS OF THE EIGHT AND ONE-HALF MARINA CONDOMINIUMS AND THE HOOP POLE CREEK AREA IN THE TOWN OF ATLANTIC BEACH, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

On motion of Representative Shubert, the bill is temporarily displaced.

Committee Substitute for **H.B. 95,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A THREE-YEAR CYCLE FOR BUILDING CODE AMENDMENTS BEGINNING IN 1999 AND TO MAKE RELATED CHANGES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THE STATE BUILDING CODE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Alexander, Bonner, Culp, and Gray - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 191, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE VALIDATION OF

CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 206, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE PERFORMANCE AUDIT OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION BY ELIMINATING THE POSITION OF COMMISSIONER OF MOTOR VEHICLES AND ALLOWING THE SECRETARY OF TRANSPORTATION TO DESIGNATE A DEPUTY TO BE THE HEAD OF THE DIVISION.

Representative Bowie calls the previous question on the passage of the bill and the call is sustained by electronic vote (82-30).

The bill fails to pass its second reading by electronic vote (48-65).

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, which was temporarily displaced, is before the Body.

Representative Shubert offers Amendment No. 3.

On motion of Representative Brawley, the bill, with pending Amendment No. 3, is postponed until March 19 by electronic vote (57-54).

RESULTS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA ELECTION

Representative Gray, Chair of the Standing Committee on UNC Board of Governors, makes the following report concerning the Board of Governors of the University of North Carolina election.

A total of 119 members voted in the election and no ballots were voided, thus 60 votes constitute a majority in the election.

In the At-large Category, H. Frank Grainger received 85 votes; Robert Franklin Warwick received 79 votes; Henry McKoy received 75 votes;

Bradley T. Adcock received 69 votes; J. Craig Souza received 68 votes; and D. Wayne Peterson received 62 votes.

In the Political Minority Category, John F. A. V. Cecil received 79 votes and Timothy Keith Moore received 68 votes.

On motion of Representative Gray, the following persons are duly elected for terms to the Board of Governors of the University of North Carolina.

In the At-large Category, H. Frank Grainger; Robert Franklin Warwick; Henry McKoy; Bradley T. Adcock; J. Craig Souza; and D. Wayne Peterson are elected.

In the Political Minority Category, John F. A. V. Cecil and Timothy Keith Moore are elected.

The Senate is so notified of the action taken by Special Message.

RE-REFERRAL

On motion of Representative Allred and without objection, **H.B. 313,** A BILL TO BE ENTITLED AN ACT TO RETROACTIVELY REPEAL THE UNCONSTITUTIONAL INTANGIBLES TAX ON STOCK AND REFUND THE TAX WITH INTEREST FOR THE 1991 THROUGH 1994 TAX YEARS FROM THE RAINY DAY FUND, is withdrawn from the Committee on Ways and Means and re-referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.B. 286, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM, is read the first time and referred to the Committee on Appropriations.

RE-REFERRALS

On motion of Representative Morgan and without objection, **S.B. 199,** A BILL TO BE ENTITLED AN ACT TO ALLOW TOWN MANAGERS

OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, **H.B. 292,** A BILL TO BE ENTITLED AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Rules, Calendar, and Operations of the House.

SUSPENSION OF RULES

On motion of Representative Morgan and without objection, Rule 31(g) is suspended in order that the following resolutions may be properly before the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 376, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THE EARLY SUPPORTERS OF THE DURHAM PUBLIC LIBRARY ON THE LIBRARY'S ONE HUNDREDTH ANNIVERSARY; and

H.R. 520, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF THE NORTH CAROLINA MUSEUM OF ART.

On motion of Representative Morgan, seconded by Representative Hardy, the House adjourns at 3:23 p.m. to reconvene March 19 at 2:00 p.m.

TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 19, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative McComas.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (108-0).

Leaves of absence are granted Representatives Ellis and Neely for today.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 86, AN ACT TO MAKE TECHNICAL CORRECTIONS TO TWO SECTIONS OF THE GENERAL STATUTES IN NEED OF PROMPT CORRECTIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 85, AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

By Representatives Miner, Berry, Tallent, Hiatt, and Church, Co-Chairs, for the Committee on Commerce:

H.B. 368, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 380, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IRREVOCABLE LETTERS OF CREDIT MAY BE SUBSTITUTED FOR REQUIRED BONDS ON HIGHWAY CONTRACTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 260, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

On motion of the Chair, pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

By Representative Allred for the Committee on Ways and Means:

H.B. 367, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COUNTIES OF GATES, HERTFORD, AND NORTHAMPTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 510, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 20.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 286, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF DORTCHES AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 20. The original bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 348, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CIDER AND VINEGAR MANUFACTURER'S PERMIT TO BE ISSUED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 389, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 20.

S.B. 95, A BILL TO BE ENTITLED AN ACT TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE

DECEMBER 31, 1996, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.R. 21, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN SHORTRIDGE, FOUNDER OF THE CITY OF HAMLET, ON THE CITY'S ONE HUNDREDTH ANNIVERSARY, with recommendation that committee substitute resolution be adopted, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

H.J.R. 371, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES ERWIN LAMBETH, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 376, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THE EARLY SUPPORTERS OF THE DURHAM PUBLIC LIBRARY ON THE LIBRARY'S ONE HUNDREDTH ANNIVERSARY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 398, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BASIL DUKE BARR, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.R. 520, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF THE NORTH CAROLINA MUSEUM OF ART, with recommendation that it be adopted.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

S.B. 229, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VOTERS OF THE CITY OF FAYETTEVILLE TO RECALL THE MAYOR AND CITY COUNCIL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Kiser, Vice Chair, for the Committee on Judiciary II:

H.B. 406, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO ADOPT ORDINANCES THAT IMPOSE A CURFEW ON PERSONS UNDER THE AGE OF EIGHTEEN, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Neely, Baddour, Berry, Brawley, Cansler, Daughtry, Dockham, Esposito, Gray, Gulley, Hill, Kiser, McComas, McMahan, Miner, Morgan, Morris, Redwine, Russell, Smith, Warner, Watson, and C. Wilson:

H.B. 538, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PROVIDING OF TRUTHFUL EMPLOYMENT REFERENCES IN ORDER TO PROMOTE SAFER WORKPLACES, is referred to the Committee on Judiciary II.

By Representatives Neely, Berry, Cansler, Dockham, Esposito, Gray, Hardy, Hill, Kiser, McComas, McMahan, Miner, Mitchell, Morgan, Morris, Russell, Watson, and C. Wilson:

H.B. 539, A BILL TO BE ENTITLED AN ACT TO PREVENT DOUBLE RECOVERIES IN PROPERTY DAMAGE, PERSONAL INJURY, AND WRONGFUL DEATH ACTIONS BY ALLOWING EVIDENCE OF OTHER SOURCES OF RECOVERY, is referred to the Committee on Judiciary II.

By Representatives Yongue, Baddour, Bonner, Culp, Goodwin, H. Hunter, Mitchell, and Moore:

H.B. 540, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR PLANNING FOR CONSTRUCTION OF A PARKING DECK, is referred to the Committee on Appropriations.

By Representatives Dockham and Brawley:

H.B. 541, A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, PROVIDING PEER REVIEW PROTECTION, AND ALLOWING THE USE OF RATES UPON FILING; AND TO CONFORM STATE LAW TO FEDERAL REQUIREMENTS REGARDING RENEWABILITY OF HEALTH INSURANCE POLICIES, is referred to the Committee on Insurance.

By Representatives Davis and Hall (Co-Sponsors):

H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, is referred to the Committee on Ways and Means.

By Representatives Insko, Goodwin, Hackney, Hardy, Moore, Morris, and Russell:

H.B. 543, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE SUPPORT FOR THE CAROLINA CHILDREN'S COMMUNICATIVE DISORDERS PROGRAM TO IMPLEMENT THE COCHLEAR IMPLANT PROCEDURE AND OTHER SERVICES FOR DEAF CHILDREN, is referred to the Committee on Appropriations.

By Representatives Sherrill, H. Hunter, and Nesbitt:

H.B. 544, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PARTIAL PAYMENT OF EMPLOYEE CONTRIBUTIONS BY EMPLOYERS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Rogers:

H.B. 545, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, is referred to the Committee on Local and Regional Government II.

By Representatives Morgan, Cansler, Hurley, McComas, and Rayfield:

H.B. 546, A BILL TO BE ENTITLED AN ACT TO ENACT THE LOBBYIST REFORM ACT OF 1997, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culp and Allred (Co-Sponsors):

H.B. 547, A BILL TO BE ENTITLED AN ACT TO ENHANCE, ENSURE, AND PROTECT THE PUBLIC'S RIGHT TO CONTINUED ACCESS TO RENEWABLE RESOURCE ENERGY GENERATED BY SMALL POWER PRODUCERS OF FIVE MEGAWATTS OR LESS BY PROVIDING THAT AVOIDED COSTS TO A UTILITY FROM THAT ENERGY BE CALCULATED BY THE RESIDUAL REVENUE METHOD, is referred to the Committee on Commerce.

By Representatives Hiatt, Baker, and G. Wilson:

H.B. 548, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, is referred to the Committee on Local and Regional Government II.

By Representatives Ives and Cansler:

H.B. 549, A BILL TO BE ENTITLED AN ACT TO EXCHANGE TRACTS OF LAND BETWEEN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND THE TOWN OF BILTMORE FOREST, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Wright, Adams, Blue, Bonner, Boyd-McIntyre, Braswell, Cunningham, Earle, Fitch, Goodwin, Hardaway, H. Hunter, Kinney, McAllister, Michaux, Moore, Oldham, Smith, Wainwright, and Womble:

H.B. 550, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMISSION ON IMPROVING THE ACADEMIC ACHIEVEMENT

OF MINORITY AND AT-RISK STUDENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright, Adams, Blue, Bonner, Boyd-McIntyre, Braswell, Cunningham, Earle, Fitch, Goodwin, Hardaway, H. Hunter, Kinney, McAllister, Michaux, Oldham, Wainwright, Womble, and Yongue:

H.B. 551, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF AIDS, is referred to the Committee on Appropriations.

By Representatives Wright, Adams, Blue, Bonner, Boyd-McIntyre, Braswell, Cunningham, Earle, Fitch, Hardaway, H. Hunter, Kinney, McAllister, Michaux, Oldham, Wainwright, and Womble:

H.B. 552, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR A MEMORIAL TO COMMEMORATE THE HISTORIC EVENTS OF NOVEMBER OF 1898 IN THE CITY OF WILMINGTON, is referred to the Committee on Appropriations.

By Representative Wright:

H.B. 553, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE HISTORIC PINE FOREST CEMETERY IN THE CITY OF WILMINGTON, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 69, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 247,** A BILL TO BE ENTITLED AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 273, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COVERAGE OF POSTMASTECTOMY INPATIENT CARE UNDER

HEALTH INSURANCE PLANS, is read the first time and referred to the Committee on Insurance.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO RETAIN POSSESSION OF TOWED VEHICLES UNTIL THE OWNER PAYS THE TOWING FEE AND OVERDUE TICKETS OR POSTS A BOND, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF RUTHERFORDTON CONCERNING THE DISTRIBUTIONS OF PROFITS FROM THE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 291, A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 319, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A NEW MULTICAMPUS COMMUNITY COLLEGE THAT WILL SERVE ANSON AND UNION COUNTIES, is read the first time and referred to the Committee on Education.

S.B. 327, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE GENERAL STATUTES GOVERNING THE DEPARTMENT OF CULTURAL RESOURCES AND THE NORTH CAROLINA HISTORICAL COMMISSION, is read the first time and referred to the Committee on State Government.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 95,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A THREE-YEAR CYCLE FOR BUILDING CODE AMENDMENTS BEGINNING IN 1999 AND TO MAKE RELATED CHANGES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THE STATE BUILDING CODE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Ellis and Neely - 2.

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, with Amendment No. 3 pending, is before the Body.

On motion of Representative Cansler, the bill with pending amendment is temporarily displaced.

Committee Substitute for **H.B. 178,** A BILL TO BE ENTITLED AN ACT TO INCREASE FROM ONE YEAR TO TWO YEARS THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley,

Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Ellis and Neely - 2.

H.B. 153, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE", passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 122, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS.

Representative Kiser offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 477, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO ADMINISTER COMPUTER-BASED EXAMINATIONS AND TO KEEP CERTAIN RECORDS CONFIDENTIAL, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, which was temporarily displaced with Amendment No. 3 pending, is before the Body.

Representative Shubert withdraws Amendment No. 3.

Representative Shubert offers Amendment No. 4 which is adopted by electronic vote (101-14).

Representative Berry offers Amendment No. 5 which is adopted by electronic vote (112-5).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representatives Baker, Cunningham, Fitch, and Sutton - 4.

Excused absences: Representatives Ellis and Neely - 2.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.B. 59, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY

BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government II.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 3,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-YEAR WAITING PERIOD BEFORE FORMER LEGISLATORS AND FORMER MEMBERS OF THE COUNCIL OF STATE MAY BECOME LOBBYISTS, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Watson, the House adjourns at 2:53 p.m. to reconvene March 20 at 1:00 p.m.

THIRTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 20, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Saunders.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-0).

Leaves of absence are granted Representatives Brown, McAllister, Mercer, Neely, Sherrill, and Thompson for today. Representative Russell is excused for a portion of the session.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 149, AN ACT TO REQUIRE LOCAL GOVERNMENTS TO ACCOUNT FOR 911 SURCHARGES IN THEIR ANNUAL FINANCIAL STATEMENTS.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 84, AN ACT TO ESTABLISH A NO-WAKE ZONE WITHIN THE CANALS AND WATERWAYS OF THE EIGHT AND ONE-HALF MARINA CONDOMINIUMS AND THE HOOP POLE CREEK AREA IN THE TOWN OF ATLANTIC BEACH.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 85, AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY. (S.L. 1997-4)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

Representative McMahan for the Committee on Congressional Redistricting submits the following bill with a favorable report for introduction:

A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 586** and placed on the Calendar of March 24 for its first reading.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 296, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MANNER OF ELECTION OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 337, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 429, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAYNESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 24.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 266, A BILL TO BE ENTITLED AN ACT TO ALLOW PRIVATE PASSENGER AND PRIVATE PROPERTY HAULING VEHICLES WEIGHING UP TO 6,000 POUNDS TO BE ISSUED "FIRST IN FLIGHT" PLATES AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERSONALIZED COMMERCIAL LICENSE PLATES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 24. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **S.B. 38,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of March 24. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 313, A BILL TO BE ENTITLED AN ACT TO RETROACTIVELY REPEAL THE UNCONSTITUTIONAL INTANGIBLES TAX ON STOCK AND REFUND THE TAX WITH INTEREST FOR THE 1991 THROUGH 1994 TAX YEARS FROM THE RAINY DAY FUND, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INCREASE IN THE FEE CHARGED FOR RABIES TAGS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 24.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of the Chair, pursuant to Rule 38, **H.B. 337,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES (continued)

The following reports from standing committees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 30, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

By Representative Kiser, Vice Chair, for the Committee on Judiciary II.

H.B. 158, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CERTAIN OFFENSES COMMITTED WHILE IN PRISON, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 24.

H.B. 159, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY CERTAIN OFFENSES RELATED TO ESCAPE FROM CORRECTIONAL FACILITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 24.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Davis and Morris (Co-Sponsors); Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Berry, Bonner, Bowie, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dickson, Easterling, Eddins, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hensley, Hiatt, Hightower, Hill, Howard, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, McCombs, McCrary, Miner, Mitchell, Moore, Mosley, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Wainwright, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FREE DRIVERS, HUNTING, AND FISHING LICENSES FOR CERTAIN DISABLED VETERANS, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representatives Watson, Adams, Aldridge, Alexander, Black, Buchanan, Church, Cole, Davis, Dickson, Earle, Easterling, Gardner, Gulley, Hackney, Hall, Hill, Howard, Hurley, Insko, Jeffus, McCombs, Moore, Morris, Mosley, Nye, Owens, Preston, Russell, Saunders, Sexton, Sherrill, Sutton, Wainwright, Warner, G. Wilson, and Yongue:

H.B. 555, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SCHOOL NURSES, is referred to the Committee on Appropriations.

By Representatives Watson, Adams, Aldridge, Alexander, Black, Brawley, Capps, Church, Cole, Davis, Easterling, Gardner, Gulley, Hackney, Hill, Jeffus, McCombs, Moore, Morris, Nye, Russell, Sexton, Sutton, Wainwright, Warner, C. Wilson, and Yongue:

H.B. 556, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MAINTAIN THE CURRENT LEVEL OF SERVICES TO PERSONS WITH AUTISM, is referred to the Committee on Appropriations.

By Representatives Watson, Adams, Aldridge, Alexander, Capps, Church, Cole, Davis, Easterling, Gardner, Gulley, Hackney, Hill, Jeffus, Moore, Morris, Nye, Russell, Sexton, Sutton, Wainwright, Warner, and Yongue:

H.B. 557, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE AUTISM FOUNDATION OF NORTH CAROLINA FOR THE COMPLETION OF SEVERAL CAPITAL PROJECTS, is referred to the Committee on Appropriations.

By Representatives Church, Buchanan, and Thompson:

H.B. 558, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF DREXEL IN BURKE COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES ON THE TOWN'S FAIRGROUND PROPERTY, is referred to the Committee on Appropriations.

By Representatives Redwine and Hill:

H.B. 559, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TOWN OF SUNSET BEACH MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, is referred to the Committee on Ways and Means.

By Representatives Alexander, Adams, Baddour, Beall, Black, Church, Cole, Crawford, Cunningham, Earle, Easterling, Fox, Gamble, Goodwin, Hackney, H. Hunter, Hurley, Jarrell, Jeffus, Luebke, Michaux, Miller, Mosley, Nye, Oldham, Ramsey, Wainwright, Wilkins, G. Wilson, and Yongue:

H.B. 560, A BILL TO BE ENTITLED AN ACT DIRECTING THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR PARENTS WHO ARE PARTIES TO A CUSTODY OR VISITATION ACTION, is referred to the Committee on Education and, if favorable, to the Committee on Judiciary II.

By Representatives Alexander and Gardner (Co-Sponsors); Baddour, Beall, Black, Church, Cole, Crawford, Cunningham, Earle, Easterling, Fox, Gamble, Goodwin, Hackney, H. Hunter, Hurley, Insko, Jeffus, Justus, Luebke, McMahan, Mercer, Michaux, Miller, Mosley, Nye, Oldham, Ramsey, Reynolds, Smith, Tolson, Wainwright, Wilkins, G. Wilson, Wright, and Yongue:

H.B. 561, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COALITION 2001, is referred to the Committee on Appropriations.

By Representatives Alexander, Adams, Beall, Black, Church, Crawford, Cunningham, Earle, Easterling, Fox, H. Hunter, Jeffus, Luebke, Michaux, Mosley, Oldham, Ramsey, Tolson, Wainwright, Watson, and Yongue:

H.B. 562, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS, is referred to the Committee on Insurance.

By Representatives Alexander, Adams, Beall, Black, Bonner, Boyd-McIntyre, Church, Crawford, Cunningham, Dedmon, Dickson, Earle, Easterling, Fox, Gamble, Goodwin, Hackney, H. Hunter, R. Hunter, Hurley, Insko, Jeffus, Luebke, Michaux, Miller, Mosley, Oldham, Smith, Wainwright, Watson, Wilkins, G. Wilson, Wright, and Yongue:

H.B. 563, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE FOR MENTAL ILLNESS AND CHEMICAL DEPENDENCY, is referred to the Committee on Insurance.

By Representatives Gardner, Thompson, and Earle (Co-Sponsors); Allred, Beall, Berry, Boyd-McIntyre, Braswell, Buchanan, Capps, Carpenter, Cole, Culp, Culpepper, Davis, Decker, Easterling, Hurley, Insko, Jarrell, Jeffus, Kinney, Luebke, McCrary, Mitchell, Morris, Mosley, Oldham, Owens, Rayfield, Sexton, Sherrill, Tallent, Tolson, Wainwright, Warner, and Watson:

H.B. 564, A BILL TO BE ENTITLED AN ACT TO ALLOW DENTAL HYGIENISTS TO PERFORM ACTS WITHOUT THE DIRECT SUPERVISION OF A LICENSED DENTIST AND TO ALLOW DENTISTS TO EMPLOY MORE THAN TWO DENTAL HYGIENISTS AT ONE TIME, is referred to the Committee on Human Resources.

By Representatives Ellis and Decker:

H.B. 565, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ellis and Decker:

H.B. 566, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ellis and Decker:

H.B. 567, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ellis and Decker:

H.B. 568, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

H.B. 569, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

H.B. 570, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN THEIR RESPECTIVE SPHERES OF INFLUENCE, is referred to the Committee on Local and Regional Government II.

By Representatives Yongue and Goodwin:

H.B. 571, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SCOTLAND COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Mitchell:

H.B. 572, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON STORM HAZARD MITIGATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson, Buchanan, and Morris:

H.B. 573, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR PROJECT CHALLENGE, A COMMUNITY SERVICE PROGRAM FOR JUVENILES, is referred to the Committee on Appropriations.

By Representatives Grady, Preston, Smith, Warwick, and Watson:

H.B. 574, A BILL TO BE ENTITLED AN ACT TO EARMARK FOR ONSLOW COUNTY AND THE MUNICIPALITIES IN THE COUNTY INCREASES IN STATE SALES TAX COLLECTIONS FOR EACH QUARTER IN THE 1997-99 FISCAL BIENNIUM OVER COLLECTIONS FOR THE CORRESPONDING QUARTERS IN THE 1996-97 FISCAL YEAR, is referred to the Committee on Finance.

By Representatives Aldridge, Bonner, Boyd-McIntyre, Cansler, Capps, Clary, Culp, Daughtry, Dedmon, Earle, Fox, Goodwin, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Luebke, Mercer, Moore, Morris, Mosley, Russell, Saunders, Sutton, Tolson, Warwick, and G. Wilson:

H.B. 575, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE DIAGNOSTIC AND TREATMENT SERVICES FOR CHILDREN WITH CRANIOFACIAL ANOMALIES INCLUDING CLEFT LIP/PALATE, is referred to the Committee on Appropriations.

By Representative Wright:

H.B. 576, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMUNITY-BASED NEEDLE AND SYRINGE EXCHANGE PILOT PROGRAM, is referred to the Committee on Human Resources.

By Representatives Weatherly, Brown, Culp, Dedmon, Dickson, and Rayfield:

H.B. 577, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR FORESTERS, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representatives Allred, Barbee, Buchanan, Capps, Daughtry, Davis, and Reynolds:

H.B. 578, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DESIGNATED SEATS FOR ELECTION IN MULTIMEMBER DISTRICTS OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred and Reynolds:

H.B. 579, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE INITIAL ELECTION OF THE ALAMANCE-BURLINGTON BOARD OF EDUCATION SHALL BE HELD IN 1997, is referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 130,** A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN THEIR RESPECTIVE SPHERES OF INFLUENCE, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

H.B. 270, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANIA.

Representative Gray moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Gray calls the previous question on the motion and the call is sustained by electronic vote (89-21).

The motion carries, by electronic vote (67-44), and the bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **H.B. 286,** A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF DORTCHES AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Brown, McAllister, Mercer, Neely, Sherrill, and Thompson - 6.

Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representative Baker.

Excused absences: Representatives Brown, McAllister, Mercer, Neely, Sherrill, and Thompson - 6.

Committee Substitute for **H.B. 178,** A BILL TO BE ENTITLED AN ACT TO INCREASE FROM ONE YEAR TO TWO YEARS THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson,

Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Brown, McAllister, Mercer, Neely, Sherrill, and Thompson - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 409, A BILL TO BE ENTITLED AN ACT CLARIFYING WHERE APPEALS FROM AGRICULTURAL EMPLOYERS WILL BE HEARD, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 510, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 389, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 342, A BILL TO BE ENTITLED AN ACT TO RAISE THE THRESHOLD FOR THE INFORMAL BIDDING PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE COUNTY OF

MECKLENBURG, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 372, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO RETAIN POSSESSION OF TOWED VEHICLES UNTIL THE OWNER PAYS THE TOWING FEE AND OVERDUE TICKETS OR POSTS A BOND, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 184, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FROM ARTICLE 2A OF THE ADMINISTRATIVE PROCEDURE ACT AND TO REQUIRE THE EMPLOYEE HOSPITAL AND MEDICAL BENEFITS COMMITTEE TO MEET AT LEAST QUARTERLY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

RE-REFERRALS

On motion of Representative Morgan and without objection, **H.B. 119,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO REMOVE THE SUNSET ON THE STATE PORTS TAX CREDIT AND TO RAISE THE MAXIMUM CUMULATIVE CREDIT TO FIVE MILLION DOLLARS, is withdrawn from the Committee on State Government and re-referred to the Committee on Commerce.

On motion of Representative Morgan and without objection, **H.B. 538,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PROVIDING OF TRUTHFUL EMPLOYMENT REFERENCES IN ORDER TO PROMOTE SAFER WORKPLACES, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan and without objection, **H.B. 539,** A BILL TO BE ENTITLED AN ACT TO PREVENT DOUBLE RECOVERIES IN PROPERTY DAMAGE, PERSONAL INJURY, AND WRONGFUL DEATH ACTIONS BY ALLOWING EVIDENCE OF OTHER SOURCES OF RECOVERY, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, seconded by Representative Saunders, the House adjourns at 2:11 p.m., in memory of Ruby Dail Dunn of Selma who died from injuries sustained in a tragic automobile accident yesterday, to reconvene Monday, March 24, 1997, at 7:00 p.m.

THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, March 24, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Davis.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (113-0).

Leaves of absence are granted Representatives Cunningham and Mosley for today.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 84, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE WITHIN THE CANALS AND WATERWAYS OF

THE EIGHT AND ONE-HALF MARINA CONDOMINIUMS AND THE HOOP POLE CREEK AREA IN THE TOWN OF ATLANTIC BEACH. (S.L. 1997-5)

S.B. 33, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES. (S.L. 1997-6)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Hill, Eddins, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 85, A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, with a favorable report as to committee substitute bill, unfavorable to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Shubert and Russell, Co-Chairs, for the Committee on Education:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS OR TO REMOVE TO AN ALTERNATIVE EDUCATIONAL SETTING A STUDENT WHO PHYSICALLY ASSAULTS AND SERIOUSLY INJURES A TEACHER OR OTHER PERSON; TO REQUIRE PARENT'S AFFIRMATION THAT STUDENT IS NOT SUSPENDED OR EXPELLED FROM ANOTHER SCHOOL BEFORE ADMISSION TO ANY PUBLIC SCHOOL; TO ALLOW LOCAL BOARDS OF EDUCATION TO DENY ADMISSION TO ANY STUDENT WHO HAS BEEN SUSPENDED OR EXPELLED FROM ANOTHER SCHOOL; TO REQUIRE NOTICE OF SUSPENSION AND EXPULSION TO BE MADE PART OF STUDENT'S OFFICIAL RECORD; TO REQUIRE NOTIFICATION OF STUDENT'S SCHOOL WHEN STUDENT IS CHARGED WITH A FELONY OR WHEN STUDENT IS ALLEGED OR FOUND TO BE DELINQUENT FOR AN OFFENSE THAT WOULD BE

A FELONY IF COMMITTED BY AN ADULT; TO PROVIDE FOR THE SCHOOL'S USE OF JUVENILE COURT RECORDS; TO MAKE PRINCIPAL'S FAILURE TO REPORT CERTAIN ACTS TO LAW ENFORCEMENT A CLASS 3 MISDEMEANOR; TO ENCOURAGE PRINCIPALS TO CONVENE MEETINGS TO IDENTIFY SCHOOL SAFETY AND DISCIPLINE CONCERNS; TO REQUIRE SCHOOL IMPROVEMENT PLANS TO INCLUDE STRATEGIES TO ADDRESS SCHOOL SAFETY AND DISCIPLINE CONCERNS; TO DIRECT THE BOARD OF GOVERNORS IN CONSULTATION WITH OTHER AGENCIES TO DEVELOP A TRAINING PROGRAM TO PROMOTE LOCAL COLLABORATION ON SCHOOL SAFETY AND DISCIPLINE ISSUES AND TO MAKE AN APPROPRIATION FOR THIS PURPOSE; TO APPROPRIATE ADDITIONAL FUNDS FOR ALTERNATIVE SCHOOLS; AND TO MAKE TECHNICAL AND CONFORMING CHANGES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 212, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE FOR COMMUNITY SERVICE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Berry for the Committee on Welfare Reform:

H.B. 363, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM INTERSTATE FAMILY SUPPORT ACT AS APPROVED BY THE NATIONAL CONFERENCE OF COMMISSIONERS ON

UNIFORM STATE LAWS AND AS REQUIRED BY THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Thompson, Buchanan, and Nichols:

H.B. 580, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO IS NOT A RESIDENT MAY OBTAIN A CONCEALED HANDGUN PERMIT AND TO PROVIDE THE CRITERIA UNDER WHICH THE PERMIT MAY BE ISSUED, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

By Representatives Hackney and Neely (Co-Sponsors); Goodwin and Insko:

H.B. 581, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CIVIL ACTION REMEDY FOR PERSONS WHO ARE SEXUALLY EXPLOITED BY THEIR PSYCHOTHERAPIST, is referred to the Committee on Judiciary II.

By Representatives Tolson, Hardaway, and Rayfield:

H.B. 582, A BILL TO BE ENTITLED AN ACT TO DIRECT THE USE OF UNEXPENDED FUNDS FOR THE CAPITAL COSTS OF CONSTRUCTING A FACILITY TO REPLACE THE EASTERN NORTH CAROLINA LIVESTOCK ARENA, is referred to the Committee on Appropriations.

By Representatives Weatherly, Clary, and Dedmon:

H.B. 583, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF KINGS MOUNTAIN LOCAL

ALCOHOLIC BEVERAGE CONTROL BOARD, is referred to the Committee on Local and Regional Government II.

By Representatives Jarrell and Sutton (Co-Sponsors); Hardy, R. Hunter, and Morris:

H.B. 584, A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE ATTEMPTING TO ELUDE ARREST STATUTES, is referred to the Committee on Judiciary I.

By Representative Grady:

H.B. 585, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

By Representatives C. Wilson, Alexander, Easterling, Gulley, McMahan, and Rayfield:

By House Committee on Congressional Redistricting:

H.B. 586, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES, is referred to the Committee on Local and Regional Government II.

By Representatives Allred, Buchanan, and Sexton:

H.B. 588, A BILL TO BE ENTITLED AN ACT TO ADD ALAMANCE, CASWELL, ORANGE, AND ROCKINGHAM COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, is referred to the Committee on Ways and Means.

By Representative Rogers:

H.B. 589, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND ARROW AND TO

REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Creech:

H.B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON'S MILLS TO DESCRIBE THE TOWN'S BOUNDARIES, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Luebke and Fitch (Co-Sponsors); Adams, Alexander, Allred, Arnold, Beall, Black, Blue, Boyd-McIntyre, Braswell, Cunningham, Dedmon, Earle, Easterling, Gamble, Goodwin, Grady, Hardaway, Hensley, Hightower, H. Hunter, Jeffus, McAllister, McCrary, Michaux, Miller, Mosley, Nesbitt, Oldham, Ramsey, Redwine, Saunders, Smith, Sutton, Tolson, Wainwright, Warwick, Womble, Wright, and Yongue:

H.B. 591, A BILL TO BE ENTITLED AN ACT TO REFUND TO THE PEOPLE OF NORTH CAROLINA A PORTION OF THE MONIES THEY PAID IN 1996 AS A SALES TAX ON GROCERIES, is referred to the Committee on Finance.

By Representatives Crawford, Bonner, and Insko:

H.B. 592, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENSES OF THE NORTH CAROLINA HIGH SCHOOL ATHLETIC ASSOCIATION, is referred to the Committee on Appropriations.

By Representatives Smith, Culpepper, and Preston:

H.B. 593, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXPANSION OF THE THREE NORTH CAROLINA AQUARIUMS, is referred to the Committee on Appropriations.

By Representatives Starnes, Capps, Davis, Hardy, and Morris:

H.B. 594, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CRIMINAL OFFENSE IF A PERSON COMMITS OR ATTEMPTS TO COMMIT A CRIMINAL ACT AND THE CRIMINAL

ACT PROXIMATELY RESULTS IN THE DEATH OF A VIABLE FETUS OR A STILLBORN BIRTH, is referred to the Committee on Judiciary II.

By Representatives Cole, Allred, and Reynolds:

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.B. 388, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ASSESSMENT OF INTANGIBLES TAX FROM TAXPAYERS WHO BENEFITED FROM THE TAXABLE PERCENTAGE DEDUCTION IN THE FORMER INTANGIBLES TAX STATUTE, is read the first time and referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 23, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 234,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATUTORY AMOUNTS THAT DETERMINE THE ASSESSMENT OF SAFE DRIVER INCENTIVE PLAN POINTS AND TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS, is read the first time and referred to the Committee on Insurance.

S.B. 246, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PARTS MAY BE REMOVED FROM CONFISCATED WEAPONS PRIOR TO THE DESTRUCTION OF THE WEAPONS TO REPAIR EXISTING

LAW ENFORCEMENT WEAPONS, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 265,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES ON SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTIONS IN THE UNIVERSITY OF NORTH CAROLINA SYSTEM TO CLARIFY THE ROLE OF THE OFFICE OF THE STATE AUDITOR, is read the first time and referred to the Committee on Education.

S.B. 329, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT STATE SAVINGS BANKS USE THE LETTERS "SSB" OR THE WORDS "SAVINGS BANK" IN THEIR LEGAL NAME IN ORDER TO CONFORM WITH THE REQUIREMENTS APPLICABLE TO FEDERAL SAVINGS BANKS, is read the first time and referred to the Committee on Commerce.

CALENDAR

Action is taken on the following:

Without objection, Rule 5(10) is suspended and **H.J.R. 371,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES ERWIN LAMBETH, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on the Calendar.

The resolution passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 286,** A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF DORTCHES AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper,

Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Mosley - 2.

Representative Allred states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (112-0).

H.B. 429, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAYNESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 186, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AMENDMENTS TO THE STATUTES PROVIDING FOR CRIMINAL HISTORY RECORD CHECKS OF INDIVIDUALS INVOLVED IN PROVIDING CHILD FOSTER CARE AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble,

Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Mosley - 2.

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INCREASE IN THE FEE CHARGED FOR RABIES TAGS.

Representative Gamble moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance. The motion fails by electronic vote (35-82).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representatives Blue, Fitch, Gamble, Hightower, Nichols, Ramsey, Smith, and Wood - 8.

Excused absences: Representatives Cunningham and Mosley - 2.

Committee Substitute for **H.B. 266,** A BILL TO BE ENTITLED AN ACT TO ALLOW PRIVATE PASSENGER AND PRIVATE PROPERTY-HAULING VEHICLES WEIGHING UP TO SIX THOUSAND POUNDS TO BE ISSUED "FIRST IN FLIGHT" PLATES AND TO CLARIFY THAT THE DIVISION OF MOTOR VEHICLES MAY ISSUE PERSONALIZED COMMERCIAL LICENSE PLATES, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for **S.B. 38,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, passes its second reading by electronic vote (115-2).

Representative Allred objects to the third reading. The bill remains on the Calendar.

H.B. 158, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CERTAIN OFFENSES COMMITTED WHILE IN PRISON, passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 159, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY CERTAIN OFFENSES RELATED TO ESCAPE FROM CORRECTIONAL FACILITIES, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of March 24 are introduced to the membership. They are: Carl E. Barnes, Jr., of Wilson; Jessica Baggett Boone of Sampson; Lloyd Marshall Briggery of Wayne; John Frederick Criscitiello of Washington; Courtney Nicole Dockery of Columbus; Emily C. Griffin of Sampson; Jordan Rebekah Kime of Guilford; Margaret F. Lineberger of Brunswick; Robert Elwood Montgomery of Sampson; Allison Marie Peck of Yadkin; Roberta West Quis of Moore; Clarence Adrian Royster of Granville; Page Stewart Setzer of Wayne; Kristian Stedje-Larsen of Union;

Charles Hamilton Trivette of Wake; Karen Michelle Troldahl of Onslow; Matthew Thomas Whited of Wake; and Tyson Lanier Williamson of Sampson.

On motion of Representative Morgan, seconded by Representative Tolson, the House adjourns at 8:16 p.m. to reconvene March 25 at 2:00 p.m.

THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 25, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Right Reverend Dr. John M. K. Paterson, Edinburgh, Scotland.

"Almighty and ever blessed God, who in this season has revealed to us the depth of Your love and compassion in the life and death of Jesus Christ our Lord, grant that as this House meets to consider the business of this day, the spirit of grace and goodness may direct the hearts and minds of Your people.

"We confess before You our faults and failings - those things we have done which we ought not to have done, those things which we ought to have done but have left undone. Lord, have mercy upon us and remind us again of the gracious gift of Your forgiveness and the offer of that new beginning which can come only through our Lord Jesus Christ.

"Gracious God, we pray for all who are in the care of this noble House, for the less fortunate of mind, body, or estate as well as those who prosper and bring rewards to this beautiful state. May all come to know the touch of Your hand upon them and be encouraged in all they say and do to love You more and serve You better.

"Through the merit and mediation of Jesus Christ our Lord to whom be ascribed as is now due all might and majesty, dominion, and power, world without end. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (110-0).

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 139, AN ACT TO AMEND THE SEX OFFENDER REGISTRATION LAW TO CLARIFY THAT PERSONS CONVICTED OF SEX OFFENSES IN FEDERAL COURT AND OTHER STATES ARE REQUIRED TO REGISTER.

ENROLLED BILL

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 371, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES ERWIN LAMBETH, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 4)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Berry for the Committee on Welfare Reform:

H.B. 431, A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 335, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McMahan, Alexander, Black, Earle, Easterling, Gulley, Rayfield, and C. Wilson:

H.B. 596, A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD, is referred to the Committee on Local and Regional Government II.

By Representative McMahan:

H.B. 597, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams, Alexander, Boyd-McIntyre, Cunningham, Earle, Fitch, Jarrell, Jeffus, Kinney, McAllister, Oldham, Sutton, Wainwright, Womble, and Yongue:

H.B. 598, A BILL TO BE ENTITLED AN ACT REQUIRING CERTAIN EMPLOYERS TO PROVIDE MEAL AND REST PERIODS DURING WORKING HOURS UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Commerce.

By Representative Wood:

H.B. 599, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS,

IMPLEMENTING SHAW COMPLIANCE PLAN C, is referred to the Committee on Congressional Redistricting.

By Representative Holmes:

H.B. 600, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holmes:

H.B. 601, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holmes:

H.B. 602, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ramsey and Beall (by request):

H.B. 603, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Smith:

H.B. 604, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NEWPORT-MOREHEAD BOUNDARIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nichols:

H.B. 605, A BILL TO BE ENTITLED AN ACT TO EXEMPT ATTORNEYS WHO HOLD ACTIVE LAW LICENSES IN THIS STATE FROM THE CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wainwright, Nichols, and Watson:

H.B. 606, A BILL TO BE ENTITLED AN ACT RELATING TO JONES COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wainwright and Nichols:

H.B. 607, A BILL TO BE ENTITLED AN ACT RELATING TO LENOIR COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wainwright and Nichols:

H.B. 608, A BILL TO BE ENTITLED AN ACT RELATING TO PAMLICO COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wainwright and Nichols:

H.B. 609, A BILL TO BE ENTITLED AN ACT RELATING TO CRAVEN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weatherly, Beall, Berry, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Culp, Dedmon, Dickson, Gamble, Hiatt, Howard, R. Hunter, Ives, Justus, Kiser, Mitchell, Nesbitt, Ramsey, Rayfield, Sherrill, Thompson, and G. Wilson:

H.B. 610, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WILDLIFE RESOURCES COMMISSION FOR ACQUISITION OF GAMELANDS IN THE SOUTH MOUNTAINS, is referred to the Committee on Appropriations.

By Representatives Hackney, Allred, Cole, Culpepper, Goodwin, Hardaway, Insko, and Reynolds:

H.B. 611, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE, is referred to the Committee on Judiciary II.

By Representatives C. Wilson, Alexander, Black, Earle, Easterling, Gulley, McMahan, and Saunders:

H.B. 612, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIRECTOR OF TRANSPORTATION OF THE CITY OF CHARLOTTE TO SET SPEED LIMITS SPECIFIED IN G.S. 20-141, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Judiciary I.

By Representatives Goodwin, Cole, Hackney, and Insko:

H.B. 613, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES, TO PROVIDE FOR THE INDUSTRIAL COMMISSION TO HANDLE THE CLAIMS OF THOSE PERSONS, AND TO PROVIDE THAT THOSE CLAIMS MUST BE BROUGHT WITHIN FIVE YEARS, is referred to the Committee on Judiciary II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 202,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in Senate committee substitute, and referred to the Committee on Judiciary I.

S.B. 321, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MODIFY A 1994 ACT CONCERNING THE LEASE OF PROPERTY BY THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, is read the first time and referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 333,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE PROCEDURE FOR ENTRY OF ORDERS IN THE COMMODITIES ACT, is read the first time and referred to the Committee on Commerce.

S.B. 343, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF COMMISSIONERS OF THE MID-EAST REGIONAL HOUSING AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES, is read the first time and referred to the Committee on Ways and Means.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 372,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO RETAIN POSSESSION OF TOWED VEHICLES UNTIL THE OWNER PAYS THE TOWING FEE AND OVERDUE TICKETS OR POSTS A BOND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 186, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AMENDMENTS TO THE STATUTES PROVIDING FOR CRIMINAL HISTORY RECORD CHECKS OF INDIVIDUALS INVOLVED IN PROVIDING CHILD FOSTER CARE AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: None.

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE

AN INCREASE IN THE FEE CHARGED FOR RABIES TAGS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representatives Blue, Decker, Fitch, Gamble, and Nichols - 5.

Excused absences: None.

Representative Hightower requests and is granted permission to be recorded as voting "no". The adjusted vote total is (110-6).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORECLOSURE FILING FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux,

Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: None.

House Committee Substitute for **S.B. 38,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.

Representative Allred offers Amendment No. 1 which fails of adoption by electronic vote (36-79).

Representative Allred offers Amendment No. 2 which fails of adoption by electronic vote (49-67).

The bill passes its third reading, by electronic vote (112-4), and is ordered sent to the Senate for concurrence in House committee substitute.

Representatives Bowie, Capps, Ellis, and Preston state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (116-2).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 192, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Adams states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (116-0).

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 70,** A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR REDUNDANT SCHOOL LAWS, TO TRANSFER THE STATUTES THAT ESTABLISH THE STATE SCHOOLS FOR HEARING- AND SIGHT-IMPAIRED STUDENTS FROM CHAPTER 115C TO CHAPTER 143B OF THE GENERAL STATUTES, TO STREAMLINE THE REPORTS OF THE STATE BOARD OF EDUCATION TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 79, A BILL TO BE ENTITLED AN ACT TO REPEAL MORE ANTIQUATED LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 313,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ASSESSMENT OF INTANGIBLES TAX, passes its second reading by electronic vote (114-4).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

SUBCOMMITTEE REFERRALS

Representative Dockham, Chair for the Standing Committee on Insurance, refers the following bills to the Permanent Subcommittee on Health:

H.B. 165, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE

JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE;

H.B. 276, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FOUR PERCENT STATE SALES AND USE TAX ON NON-PRESCRIPTION MEDICINES;

H.B. 291, A BILL TO BE ENTITLED AN ACT REQUIRING NOTIFICATION OF NEXT OF KIN BEFORE AN AUTOPSY MAY BE PERFORMED;

H.B. 435, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN;

H.B. 436, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; and

S.B. 273, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COVERAGE OF POSTMASTECTOMY INPATIENT CARE UNDER HEALTH INSURANCE PLANS.

RE-REFERRAL

On motion of Representative Daughtry and without objection, **H.B. 584,** A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE ATTEMPTING TO ELUDE ARREST STATUTES, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Morris, the House adjourns at 3:13 p.m. to reconvene March 26 at 2:00 p.m.

THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 26, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Wainwright.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (112-0).

A leave of absence is granted Representative Culpepper for today. Representative Ives is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

Representative Allred for the Committee on Ways and Means submits the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO REPEAL THE INTANGIBLES TAX ON STOCK FOR THE 1990 THROUGH 1994 TAX YEARS AND TO REFUND THE TAX WITH INTEREST FROM THE RAINY DAY FUND.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 660** and placed on the Calendar of March 27 for its first reading.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 88, A BILL TO BE ENTITLED AN ACT TO GRANT SUBPOENA POWER TO THE STATE BOARD OF EDUCATION IN CASES INVOLVING THE SUSPENSION OR REVOCATION OF CERTIFICATES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 328, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, with

a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 482, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL HANDICAPPED PERSONS TO USE A REGISTERED SIGNATURE FACSIMILE AS A MARK OF THEIR LEGAL SIGNATURE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 27.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 311, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SUNSET ON GENERAL STATUTES SECTION 116B-23, EXCLUSION FOR FORFEITED RESERVATION DEPOSITS AND TO MAKE A TECHNICAL CORRECTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 367, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COUNTIES OF GATES, HERTFORD, AND NORTHAMPTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 260, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Culp for the Committee on Public Employees:

H.B. 127, A BILL TO BE ENTITLED AN ACT TO INCREASE THE RATES OF REIMBURSEMENT FOR LODGING AND MILEAGE EXPENSES INCURRED BY STATE OFFICERS AND EMPLOYEES IN CONNECTION WITH TRAVEL ON OFFICIAL BUSINESS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 288, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF COMPLAINTS BY PUBLICATION AND SERVICE OF NOTICES AND ORDERS BY REGULAR MAIL IN HOUSING CODE CASES IN THE CITY OF GREENSBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 387, A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 486, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 500, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUMMERVILLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative McMahan for the Committee on Congressional Redistricting:

H.B. 586, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

H.B. 526, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF WRIGHTSVILLE BEACH TO CREATE A SEA TURTLE SANCTUARY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 27.

H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, with a favorable report.

On motion of the Chair, pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

H.B. 559, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TOWN OF SUNSET BEACH MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of March 27.

By Representatives Hill, Eddins, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 189, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA DRINKING WATER ACT SO THAT IT

CONFORMS WITH FEDERAL LAW, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 194, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ACCOUNT WITHIN THE STATE REVOLVING LOAN AND GRANT FUND SO THAT FUNDS MADE AVAILABLE UNDER THE FEDERAL SAFE DRINKING WATER ACT AMENDMENTS OF 1996 MAY BE USED BY THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 242, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 245, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WETLANDS RESTORATION PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 260, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONSERVATION EASEMENTS PROGRAM THAT USES CONSERVATION TAX CREDITS FOR THE PROTECTION OF NATURAL RESOURCES AND THAT FURTHERS APPROPRIATE PUBLIC USE

OF NATURAL RESOURCES, TO CREATE THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT COOPERATIVE CONSERVATION EFFORTS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 79, AN ACT TO REPEAL MORE ANTIQUATED LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 401, A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Weatherly for the Committee on State Government:

H.B. 275, A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DECENTRALIZATION OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, with a favorable

report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 517, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR RAISING FUNDS FOR CONSTRUCTION OF THE NORTH CAROLINA INDIAN CULTURAL CENTER PROVIDED THAT THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., REORGANIZES ITSELF TO FACILITATE THE FUND-RAISING PROCESS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of March 27. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Ellis:

H.B. 614, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SWIFT CREEK, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Bonner, Sutton, and Yongue:

H.B. 615, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF APPOINTING THE PUBLIC DEFENDER IN DISTRICT 16B, is referred to the Committee on Judiciary I.

By Representatives Sherrill and Cole:

H.B. 616, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE INVESTIGATION AND DISCIPLINE OF LAW ENFORCEMENT OFFICERS AND TO PROVIDE FOR JUDICIAL REVIEW, is referred to the Committee on Judiciary I.

By Representatives Sherrill and Cole:

H.B. 617, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT PUBLICLY OWNED AND OPERATED BUSES MAY NOT COMPETE WITH THE PRIVATE SECTOR, is referred to the Committee on Commerce.

By Representatives Mitchell, Brawley, Cole, and Wilkins:

H.B. 618, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR MISREPRESENTATION UNDER THE WORKERS' COMPENSATION ACT, is referred to the Committee on Judiciary I.

By Representative Beall:

H.B. 619, A BILL TO BE ENTITLED AN ACT RELATING TO THE HAYWOOD COUNTY TOURISM DEVELOPMENT AUTHORITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ramsey, Beall, and Goodwin:

H.B. 620, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT A FINE AND PERFORMING ARTS CENTER AT WESTERN CAROLINA UNIVERSITY, is referred to the Committee on Appropriations.

By Representative Howard:

H.B. 621, A BILL TO BE ENTITLED AN ACT RELATING TO DAVIE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

H.B. 622, A BILL TO BE ENTITLED AN ACT RELATING TO DAVIE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard (by request):

H.B. 623, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECALL ELECTIONS IN THE TOWN OF COOLEEMEE, is referred to the Committee on Local and Regional Government II.

By Representative Owens:

H.B. 624, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CAMDEN, CURRITUCK, PASQUOTANK, AND PERQUIMANS COUNTIES TO CHOOSE FROM A MENU OF LOCAL REVENUE OPTIONS, SUBJECT TO APPROVAL BY THE VOTERS OF THE RESPECTIVE COUNTY, is referred to the Committee on Finance.

By Representative Smith:

H.B. 625, A BILL TO BE ENTITLED AN ACT RELATING TO ONSLOW COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Smith:

H.B. 626, A BILL TO BE ENTITLED AN ACT RELATING TO CARTERET COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rogers:

H.B. 627, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF THE NONPARTISAN BERTIE COUNTY BOARD OF EDUCATION ELECTION FROM MAY TO NOVEMBER, is referred to the Committee on Local and Regional Government II.

By Representatives Davis and Capps:

H.B. 628, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL INSTITUTIONS OF HIGHER EDUCATION THAT RECEIVE STATE FUNDS AND THEIR LAW SCHOOLS ALLOW MILITARY RECRUITING ON CAMPUS, is referred to the Committee on Education.

By Representatives Davis and Hall:

H.B. 629, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY AND TO MODIFY THE LAW LIMITING THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY, is referred to the Committee on Ways and Means.

By Representative Decker:

H.B. 630, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF THE TOWN OF KERNERSVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Decker:

H.B. 631, A BILL TO BE ENTITLED AN ACT RELATING TO FORSYTH COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Decker:

H.B. 632, A BILL TO BE ENTITLED AN ACT RELATING TO THE 84TH DISTRICT OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justus:

H.B. 633, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF HENDERSON AND CERTAIN MUNICIPALITIES TO DONATE UNCLAIMED BICYCLES TO CHARITY, is referred to the Committee on Local and Regional Government II.

By Representatives Dickson and Rayfield:

H.B. 634, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION, is referred to the Committee on Local and Regional Government II.

By Representatives Ives and Hackney:

H.B. 635, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representative Culpepper:

H.B. 636, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MANTEO TO REGULATE CERTAIN ACTIVITIES IN WATERWAYS ADJACENT TO THE TOWN, is referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 152, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 249,** A BILL TO BE ENTITLED AN ACT TO CLARIFY WHAT FUNDS MAY BE USED TO REPAY SPECIAL OBLIGATION BONDS AND TO MAKE OTHER CHANGES IN THE LAWS CONCERNING THESE BONDS, is read the first time and referred to the Committee on Finance.

S.B. 262, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.R. 520, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF THE NORTH CAROLINA MUSEUM OF ART.

The resolution is adopted, by electronic vote (117-0), and ordered printed.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORECLOSURE FILING FEES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Culpepper and Ives - 2.

Committee Substitute for **H.B. 313,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ASSESSMENT OF INTANGIBLES TAX, passes its third reading, by electronic vote (117-1), and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 184, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FROM ARTICLE 2A OF THE ADMINISTRATIVE PROCEDURE ACT AND TO REQUIRE THE EMPLOYEE HOSPITAL AND MEDICAL BENEFITS COMMITTEE TO MEET AT LEAST QUARTERLY, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 212,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY

TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE FOR COMMUNITY SERVICE, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 95,** A BILL TO BE ENTITLED AN ACT TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE DECEMBER 31, 1996, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **H.B. 586,** A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS.

Representative Sutton offers Amendment No. 1 which is adopted by electronic vote (117-0).

Representative Michaux offers Amendment No. 2 which fails of adoption by electronic vote (30-87).

Representative Michaux offers Amendment No. 3 which fails of adoption by electronic vote (26-90).

Representative Michaux offers Amendment No. 4 which fails of adoption by electronic vote (27-90).

The bill, as amended, passes its second reading, by electronic vote (87-30), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 349, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NEW MOTOR VEHICLES NEED BE INSPECTED ONLY WHEN THEY ARE SOLD TO THE FIRST PURCHASER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

On motion of Representative Morgan, seconded by Representative Rayfield, the House adjourns at 4:04 p.m. to reconvene March 27 at 1:00 p.m.

THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 27, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Warwick.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (111-0).

Leaves of absence are granted Representatives Arnold, Church, and Hardaway for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 373, A BILL TO BE ENTITLED AN ACT TO REQUIRE ANNEXATION IN CALDWELL COUNTY BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THAT COUNTY BE APPROVED BY REFERENDUM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 578, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DESIGNATED SEATS FOR ELECTION IN MULTIMEMBER DISTRICTS OF THE HOUSE OF REPRESENTATIVES, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Election Law and Campaign Reform.

The bill is re-referred to the Committee on Election Law and Campaign Reform.

S.B. 199, A BILL TO BE ENTITLED AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of March 31. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 363, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HUMAN RESOURCES NOT TO ELECT ANY CHILD SUPPORT DISTRIBUTION OPTION FOR WHICH FEDERAL FUNDS ARE NOT PROVIDED AND TO INCREASE THE APPLICATION FEE FOR NONPUBLIC ASSISTANCE CHILD SUPPORT ENFORCEMENT SERVICES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Justus and C. Wilson, Co-Chairs, for the Committee on Election Law and Campaign Reform:

H.B. 277, A BILL TO BE ENTITLED AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF ELECTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 327, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE CATEGORIES OF APPOINTEES TO AREA MENTAL HEALTH AUTHORITY BOARDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 150, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CERTAIN PYROTECHNICS IN NORTH CAROLINA, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

H.B. 337, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX; and

H.B. 342, A BILL TO BE ENTITLED AN ACT TO RAISE THE THRESHOLD FOR THE INFORMAL BIDDING PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE COUNTY OF MECKLENBURG.

Representatives Holmes, Esposito, Creech, and Crawford, Co-Chairs, for the Standing Committee on Appropriations refer the following bills to the Permanent Subcommittee on Capital and Budget:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CREATE A LEGISLATIVE COMMISSION ON JOB TRAINING PROGRAMS TO REORGANIZE THE WORKFORCE DEVELOPMENT SYSTEM IN NORTH CAROLINA;

H.B. 32, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW CLASSROOM BUILDING AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 33, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LAND ACQUISITION FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 43, A BILL TO BE ENTITLED AN ACT TO RECAPITALIZE THE MAIN STREET FINANCIAL INCENTIVE FUND;

H.B. 60, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION;

H.B. 80, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE ADULT DAY CARE PROGRAM;

H.B. 91, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY THE NON-BETTERMENT COSTS OF UTILITY RELOCATIONS FOR WATER AND SEWER LINES OWNED BY A SYSTEM CREATED PURSUANT TO ARTICLE 20 OF CHAPTER 160A OF THE GENERAL STATUTES;

H.B. 104, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION AND RENOVATION OF THE MOORESVILLE PUBLIC LIBRARY;

H.B. 108, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ALZHEIMER'S ASSOCIATIONS;

H.B. 109, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING FOR IN-HOME AIDE SERVICES AND CAREGIVER SUPPORT SERVICES;

H.B. 111, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF FOREST FIRE AIRCRAFT;

H.B. 121, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CREATION OF A TEXTILE MUSEUM IN THE TOWN OF ERWIN IN HARNETT COUNTY;

H.B. 132, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA;

H.B. 154, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MATERNAL OUTREACH PROGRAM, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE;

H.B. 155, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE GRASSROOTS SCIENCE MUSEUM COLLABORATIVE BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

H.B. 156, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPENSATE PHYSICIANS FOR PERFORMING MEDICAL EVALUATIONS OF CHILDREN WHO ARE SUSPECTED OF HAVING BEEN ABUSED OR NEGLECTED, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE;

H.B. 161, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OPERATION OF THE MODEL TEACHER EDUCATION CONSORTIUM;

H.B. 179, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PERFORMANCE AUDIT OF THE DIVISION OF ADULT PROBATION AND PAROLE IN THE DEPARTMENT OF CORRECTION;

H.B. 180, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE INSTALLATION OF NONPRESSURIZED DRY FIRE HYDRANTS IN RURAL AREAS OF THE STATE;

H.B. 181, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW ASSISTANT COUNTY FOREST RANGER POSITION IN RANDOLPH COUNTY;

H.B. 190, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF FOREST RESOURCES, FOR A FORESTRY HEADQUARTERS FACILITY IN MADISON COUNTY;

H.B. 223, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT WINSTON-SALEM STATE UNIVERSITY;

H.B. 230, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT A NATIONAL MEMORIAL HONORING ALL WOMEN MILITARY PERSONNEL;

H.B. 232, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION AND ENHANCEMENT OF THE MEDICAL EVALUATION PROGRAM IN THE DIVISION OF MOTOR VEHICLES AS RECOMMENDED BY THE DRIVER MEDICAL EVALUATION PROGRAM STUDY COMMISSION;

H.B. 241, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT A CONSERVATION EASEMENTS PROGRAM FOR THE PROTECTION OF NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 243, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROTECT PUBLIC HEALTH AND SAFETY BY ASSURING ADEQUATE INSPECTION OF DAMS AND TO IMPROVE THE IMPLEMENTATION OF THE DAM SAFETY ACT OF 1967, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 244, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ENVIRONMENTAL EDUCATION TRUST FUND TO ASSURE THE FUNDING OF ENVIRONMENTAL EDUCATION AND TO APPROPRIATE FUNDS TO THAT FUND, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 246, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND EXTEND THE PROTECTION OF THE STATE'S NATURAL LANDS BY EXTENDING THE AUTHORIZED EXPENDITURES FROM THE NATURAL HERITAGE TRUST FUND AND BY ALLOWING QUALIFIED PRIVATE NONPROFIT LAND TRUST ORGANIZATIONS TO HOLD TITLE TO ACQUIRED LANDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 249, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NATURAL RESOURCES LEADERSHIP INSTITUTE, A PROJECT OF THE NORTH CAROLINA COOPERATIVE EXTENSION SERVICE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 252, A BILL TO BE ENTITLED AN ACT TO FUND THE DEVELOPMENT OF A HUMAN USE MAP AND A USER CO-ORDINATION PLAN FOR CORE SOUND;

H.B. 254, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE OYSTER REHABILITATION PROGRAM TO THE SHELLFISH REHABILITATION PROGRAM AND TO PROVIDE OVERSIGHT OF THE USE OF SHELLFISH REHABILITATION PROGRAM FUNDS;

H.B. 255, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE STATE PORTS;

H.B. 259, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPROVE WATER QUALITY IN THE CAPE FEAR RIVER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 273, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES AT THE CENTER FOR APPLIED TEXTILE TECHNOLOGY;

H.B. 278, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO COMPLETE THE RESTORATION OF THE OLD GATES COUNTY COURTHOUSE;

H.B. 279, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PROMOTION AND ADVERTISEMENT OF THE NORTH CAROLINA WELCOME CENTER IN NORTHAMPTON COUNT;

H.B. 285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FOR HIGHWAY PATROL TROOP E HEADQUARTERS PLANNING FUNDS;

H.B. 287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROMOTING AND PRESERVING THE RICH HERITAGE OF AUTO RACING IN NORTH CAROLINA;

H.B. 289, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXHIBITS FOR THE NEW NORTH CAROLINA STATE MUSEUM OF NATURAL SCIENCES;

H.B. 300, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPAIR AND RESTORE SEVERAL HISTORIC STRUCTURES AT THE BEAUFORT HISTORIC SITE;

H.B. 304, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXTEND THE BEAVER DAMAGE CONTROL PROGRAM AND TO INCLUDE BERTIE COUNTY IN THE PROGRAM;

H.B. 318, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CANCER CONTROL; and

S.B. 286, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Hall and Davis:

H.B. 637, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY, is referred to the Committee on Ways and Means.

By Representatives Jeffus, Adams, Gardner, Goodwin, Hall, Hurley, Smith, and Watson:

H.B. 638, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE SQUARE DANCE AS THE AMERICAN FOLK DANCE OF THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Watson, Buchanan, Culp, Davis, Earle, Fox, Gardner, Hall, Hardy, Hill, McCombs, Morris, Owens, Preston, Saunders, Sherrill, Tolson, Wainwright, Wilkins, G. Wilson, and Yongue:

H.B. 639, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA AGRICULTURAL FINANCE AUTHORITY FOR THE RESERVE FOR FARM LOANS, is referred to the Committee on Appropriations.

By Representatives Wilkins, Baddour, Bowie, Brawley, Brown, Buchanan, Clary, Decker, Dockham, Hackney, Hall, Hiatt, Hightower, Hurley, Justus, Kiser, Mitchell, Morris, Mosley, Redwine, Sutton, Thompson, Warner, Wright, and Yongue:

H.B. 640, A BILL TO BE ENTITLED AN ACT TO MANDATE THE REVOCATION OF A PERSON'S DRIVERS LICENSE OR LIMITED DRIVING PRIVILEGE FOR WILLFUL FAILURE TO COMPLETE COURT-ORDERED COMMUNITY SERVICE, is referred to the Committee on Judiciary II.

By Representatives Cansler, Alexander, Davis, Fox, Insko, Morris, Mosley, Russell, and Sherrill:

H.B. 641, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE AND SUSTAIN THE CAPACITY OF NON-PROFIT HOUSING DEVELOPERS TO PRODUCE AFFORDABLE HOUSING, is referred to the Committee on Appropriations.

By Representatives Barbee, Culp, Davis, Hardy, and Thompson:

H.B. 642, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE RETIREMENT BENEFITS PAYABLE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Rayfield, Clary, Dedmon, Dickson, Gamble, Kiser, and Weatherly:

H.B. 643, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Hardaway, Crawford, and Wilkins:

H.B. 644, A BILL TO BE ENTITLED AN ACT TO RESTORE THE NAME OF HALIFAX STREET TO A STATE GOVERNMENT MALL THAT OCCUPIES ITS FORMER ROUTE, is referred to the Committee on State Government.

By Representatives Ramsey and Beall:

H.B. 645, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE RENOVATION OF THE HISTORIC JACKSON COUNTY COURTHOUSE, is referred to the Committee on Appropriations.

By Representative Daughtry:

H.B. 646, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO ESTABLISH A PRODUCTION MONEY SECURITY INTEREST IN CROPS THAT HAS PRIORITY OVER OTHER SECURITY INTERESTS, is referred to the Committee on Judiciary I.

By Representative Allred:

H.B. 647, A BILL TO BE ENTITLED AN ACT REGARDING ROCKINGHAM COUNTY AND INCORPORATED MUNICIPALITIES

LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Carpenter:

H.B. 648, A BILL TO BE ENTITLED AN ACT MODIFYING THE LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Carpenter:

H.B. 649, A BILL TO BE ENTITLED AN ACT RELATING TO THE 53RD HOUSE OF REPRESENTATIVES DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Carpenter:

H.B. 650, A BILL TO BE ENTITLED AN ACT RELATING TO THE 53RD HOUSE OF REPRESENTATIVES DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 651, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES, is referred to the Committee on Commerce.

By Representative Sherrill:

H.B. 652, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE STATUTES GOVERNING THE OFFICE OF THE STATE AUDITOR, is referred to the Committee on Judiciary I.

By Representatives Sexton and Allred:

H.B. 653, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II.

By Representatives Sexton and Allred:

H.B. 654, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRANSFER OF ROCKINGHAM CORRECTIONAL CENTER TO ROCKINGHAM COUNTY, is referred to the Committee on Appropriations.

By Representative Sexton:

H.B. 655, A BILL TO BE ENTITLED AN ACT RELATING TO ROCKINGHAM COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brawley:

H.B. 656, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF MOORESVILLE, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Allred:

H.B. 657, A BILL TO BE ENTITLED AN ACT REGARDING ALAMANCE COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allred:

H.B. 658, A BILL TO BE ENTITLED AN ACT REGARDING ORANGE COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allred:

H.B. 659, A BILL TO BE ENTITLED AN ACT REGARDING CASWELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By House Committee on Ways and Means; Representatives Allred, Berry, Capps, Gardner, Goodwin, Hardy, Hill, Morgan, Morris, Rayfield, Sexton, Smith, and Wood:

H.B. 660, A BILL TO BE ENTITLED AN ACT TO REPEAL THE

INTANGIBLES TAX ON STOCK FOR THE 1990 THROUGH 1994 TAX YEARS AND TO REFUND THE TAX WITH INTEREST FROM THE RAINY DAY FUND, is referred to the Committee on Finance.

By Representative Justus:

H.B. 661, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS, is referred to the Committee on Local and Regional Government II.

By Representatives Tallent, Barbee, Goodwin, Moore, and Morris:

H.B. 662, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO L.I.F.E. CENTER, INC., FOR CAPITAL COSTS IN EXPANDING A FACILITY FOR USE AS AN ADULT DAY CARE CENTER, is referred to the Committee on Appropriations.

By Representatives Wood and Goodwin:

H.B. 663, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR RUN AS A JOINT TICKET IN THE GENERAL ELECTION, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Mosley, Blue, Capps, Goodwin, Hensley, Hill, Luebke, Sexton, Smith, Tolson, and Wood:

H.J.R. 664, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF RUSSELL ATKINSON SWINDELL, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Eddins, Aldridge, Arnold, Baddour, Baker, Barbee, Berry, Braswell, Brawley, Buchanan, Cansler, Capps, Clary, Creech, Culp, Davis, Decker, Dockham, Earle, Ellis, Esposito, Gardner, Goodwin, Grady, Gulley, Hall, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Ives, Jeffus, Justus, Kiser, McMahan, Miner, Moore, Morgan, Morris, Mosley, Neely, Nichols, Oldham, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Shubert, Sutton, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Wood, and Yongue:

H.B. 665, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, is referred to the Committee on Judiciary I.

By Representative Smith:

H.B. 666, A BILL TO BE ENTITLED AN ACT TO INCLUDE PUBLIC DEFENDERS AND THE APPELLATE DEFENDER AS MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Pensions and Retirement.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 16,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE FOR COMMUNITY SERVICE, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 78,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE AND THE CHIEF OF THE GENERAL ASSEMBLY POLICE TO PROVIDE FOR THE EVACUATION OF STATE AND LEGISLATIVE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS, is read the first time and referred to the Committee on State Government.

S.B. 172, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF HUNTING LICENSES FOR CERTAIN DISABLED HUNTERS WHO HAVE NOT COMPLIED WITH THE HUNTING SAFETY COURSE REQUIREMENT, is read the first time and referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary I.

Committee Substitute for **S.B. 272,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, is read the first time and referred to the Committee on Education.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 367,** A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COUNTIES OF CRAVEN, GATES, HERTFORD, NORTHAMPTON, AND PAMLICO TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 526, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF WRIGHTSVILLE BEACH TO CREATE A SEA TURTLE SANCTUARY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 559, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TOWN OF SUNSET BEACH MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 482, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL HANDICAPPED PERSONS TO USE A REGISTERED SIGNATURE FACSIMILE AS A MARK OF THEIR LEGAL SIGNATURE, passes its

second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 517,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR RAISING FUNDS FOR CONSTRUCTION OF THE NORTH CAROLINA INDIAN CULTURAL CENTER PROVIDED THAT THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., REORGANIZES ITSELF TO FACILITATE THE FUND-RAISING PROCESS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRALS

On motion of Representative Morgan and without objection, **H.B. 242,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Finance.

On motion of Representative Morgan and without objection, **H.B. 245,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WETLANDS RESTORATION PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is withdrawn from the Calendar pursuant to Rule 36(a) and referred to the Committee on Appropriations.

On motion of Representative Morgan, seconded by Representative Earle, the House adjourns at 1:51 p.m. to reconvene Monday, March 31, 1997, at 7:00 p.m.

THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 31, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Weatherly.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-0).

Leaves of absence are granted Representatives Barbee, Hackney, Preston, Russell, and Wright for today. Representative Hardaway is excused for a portion of the session.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 586, AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS.

H.B. 113, AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 77, AN ACT TO DIRECT THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO DISSOLVE CERTAIN AREA MENTAL HEALTH AUTHORITIES. (S.L. 1997-7)

H.B. 149, AN ACT TO REQUIRE LOCAL GOVERNMENTS TO

ACCOUNT FOR 911 SURCHARGES IN THEIR ANNUAL FINANCIAL STATEMENTS. (S.L. 1997-8)

S.B. 86, AN ACT TO MAKE TECHNICAL CORRECTIONS TO TWO SECTIONS OF THE GENERAL STATUTES IN NEED OF PROMPT CORRECTIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 1997-9)

H.B. 29, AN ACT TO INCREASE THE MAXIMUM RAFFLE CASH PRIZES AND THE FAIR MARKET VALUE OF RAFFLE MERCHANDISE PRIZES. (S.L. 1997-10)

H.B. 586, AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS. (S.L. 1997-11)

H.B. 113, AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE. (S.L. 1997-12)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Weatherly for the Committee on State Government:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE EIGHTY-SECOND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute for **H.B. 55,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL PURPLE HEART AWARD REGISTRATION PLATES SHALL BE ISSUED WITHOUT AN ADDITIONAL FEE, AND TO PROVIDE THAT SURVIVING SPOUSES OF PURPLE HEART PLATE HOLDERS MAY CONTINUE TO BE ISSUED THOSE PLATES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 432, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LESSONS LEARNED FROM HURRICANE FRAN WITH RESPECT TO THE MOBILIZATION OF THE NORTH CAROLINA NATIONAL GUARD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative McComas for the Permanent Subcommittee on Health:

H.B. 276, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FOUR PERCENT STATE SALES AND USE TAX ON NON-PRESCRIPTION MEDICINES, reported to the Standing Committee on Insurance, with a favorable recommendation.

H.B. 291, A BILL TO BE ENTITLED AN ACT REQUIRING NOTIFICATION OF NEXT OF KIN BEFORE AN AUTOPSY MAY BE PERFORMED, reported to the Standing Committee on Insurance, with an unfavorable recommendation.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Watson, Adams, Alexander, Buchanan, Cansler, Earle, Easterling, Hurley, Ives, Nye, Russell, and Wainwright:

H.B. 667, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADULT DEVELOPMENTAL VOCATIONAL PROGRAMS, AS RECOMMENDED BY THE TASK FORCE TO DETERMINE THE MINIMUM REIMBURSEMENT RATE FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAMS, is referred to the Committee on Appropriations.

By Representatives McAllister, Hurley, Kinney, Morris, and Warner:

H.B. 668, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO REQUIRE OWNERS OF RENTAL PROPERTY IN THE COUNTY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS IN HOUSING CODE CASES AND

CASES INITIATED BY THE LOCAL BOARD OF HEALTH, is referred to the Committee on Ways and Means.

By Representative Goodwin:

H.B. 669, A BILL TO BE ENTITLED AN ACT RELATING TO MONTGOMERY COUNTY AND THE MUNICIPALITIES IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hall and Davis:

H.B. 670, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTIES OF HARNETT AND LEE AND THE MUNICIPALITIES LOCATED IN THOSE COUNTIES TO DONATE UNCLAIMED BICYCLES TO CHARITY, is referred to the Committee on Ways and Means.

By Representative Hall:

H.B. 671, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SANFORD AND OTHER LAWS RELATING TO THE CITY BY DELETING THROUGHOUT THE WORDS "BOARD OF ALDERMEN" AND "ALDERMEN" AND SUBSTITUTING THE WORDS "CITY COUNCIL" AND "COUNCIL MEMBER", is referred to the Committee on Ways and Means.

By Representatives Hall, Aldridge, Baker, Barbee, Bowie, Buchanan, Capps, Clary, Cole, Creech, Culp, Daughtry, Davis, Decker, Dedmon, Eddins, Gardner, Goodwin, Gulley, Hardy, Hightower, Hill, Howard, H. Hunter, Ives, Jeffus, Justus, Kinney, Kiser, McAllister, McMahan, Mitchell, Moore, Morris, Mosley, Nichols, Owens, Preston, Rayfield, Reynolds, Russell, Starnes, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, and C. Wilson:

H.B. 672, A BILL TO BE ENTITLED AN ACT TO EXEMPT COUNTIES AND CITIES FROM THE STATUTORY REQUIREMENTS REGARDING PUBLIC CONTRACTS WHEN CONSTRUCTING CERTAIN METAL BUILDINGS, is referred to the Committee on Commerce.

By Representatives Hiatt, Baker, and G. Wilson:

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME OF ELECTION OF THE SURRY COUNTY BOARD OF

EDUCATION FROM THE PRIMARY TO NONPARTISAN AT THE TIME OF THE GENERAL ELECTION, is referred to the Committee on Local and Regional Government II.

By Representative Arnold:

H.B. 674, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE CURATIVE STATUTE ON LAND TRANSFER DOCUMENTS FILED WITHOUT THE WORD "SEAL" AND TO MAKE OTHER CHANGES TO THE VALIDATION OF SOME RECORDED INSTRUMENTS, is referred to the Committee on Judiciary I.

By Representatives Arnold and Fitch:

H.B. 675, A BILL TO BE ENTITLED AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ROCKY MOUNT, is referred to the Committee on Local and Regional Government II.

By Representatives Arnold and Fitch:

H.B. 676, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF ROCKY MOUNT PROVISIONS OF A LOCAL ACT WHICH PROVIDES THAT SERVICE OF COMPLAINTS OR ORDERS ISSUED IN HOUSING CODE CASES IS SUFFICIENT WHERE THE COMPLAINTS OR ORDERS ARE SENT BY REGISTERED OR CERTIFIED MAIL IN CONJUNCTION WITH REGULAR MAIL AND THE REGISTERED OR CERTIFIED MAIL IS RETURNED, BUT THE REGULAR MAIL IS NOT RETURNED WITHIN TEN DAYS AFTER MAILING, is referred to the Committee on Ways and Means.

By Representative Starnes:

H.B. 677, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE PATTERSON SCHOOL FOUNDATION, INC., FOR CAPITAL EXPENDITURES, is referred to the Committee on Appropriations.

By Representatives Starnes, Capps, and Wood:

H.B. 678, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS CONVICTED OF DRIVING WHILE IMPAIRED TO MARK THEIR MOTOR VEHICLES WITH AN IDENTIFYING BUMPER

STICKER, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Daughtry, Capps, Morris, and Sexton:

H.B. 679, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A PUBLIC-PRIVATE PARTNERSHIP TO EXPAND TECHNOLOGY IN NORTH CAROLINA PUBLIC SCHOOLS, INCLUDING A VOCATIONAL EDUCATION COMPUTER RECYCLING PILOT PROGRAM, is referred to the Committee on Appropriations.

By Representatives Wilkins and Crawford:

H.B. 680, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PERSON COUNTY MUSEUM OF HISTORY, is referred to the Committee on Appropriations.

By Representative Wilkins:

H.B. 681, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Gardner and Sexton:

H.B. 682, A BILL TO BE ENTITLED AN ACT TO INCLUDE HOME CARE AGENCIES UNDER THE PHARMACY OF CHOICE LAW WHEN THEY ARE PROVIDING NURSING INFUSION SERVICES, is referred to the Committee on Human Resources.

By Representatives Bonner, Blue, Fitch, Goodwin, McAllister, Michaux, Morris, and Wainwright:

H.J.R. 683, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DR. JOY JOSEPH JOHNSON, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ives:

H.B. 684, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ALCOHOLIC BEVERAGE CONTROL COMMISSION SHALL

CERTIFY THE SPECIAL ABC DISTRICTS IN WHICH ELECTIONS MAY BE CONDUCTED, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Judiciary II.

By Representative Davis:

H.B. 685, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THAT COUNTY, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Hill:

H.B. 686, A BILL TO BE ENTITLED AN ACT RELATING TO COLUMBUS COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus and Ives:

H.B. 687, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR HENDERSON COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Culp, Barbee, Dockham, Goodwin, Hightower, Shubert, Sutton, Tallent, and Yongue:

H.B. 688, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PILOT PROJECT FOR THE RURAL COUNTIES OF ANSON, MONTGOMERY, MOORE, RANDOLPH, RICHMOND, AND UNION FOR THE INSTALLATION OF NONPRESSURIZED DRY FIRE HYDRANTS, is referred to the Committee on Appropriations.

By Representatives Hightower and Goodwin:

H.B. 689, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR ANSON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hightower and Goodwin:

H.B. 690, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR ANSON COUNTY AND THE MUNICIPALITIES IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hightower:

H.B. 691, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR STANLY COUNTY AND THE MUNICIPALITIES IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hightower:

H.B. 692, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR STANLY COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hightower and Goodwin:

H.B. 693, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR MONTGOMERY COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hightower and Goodwin:

H.B. 694, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR MONTGOMERY COUNTY AND THE MUNICIPALITIES IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 695, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Tolson:

H.B. 696, A BILL TO BE ENTITLED AN ACT TO ANNEX THE COMMUNITY OF GOLD ROCK INTO THE CITY OF ROCKY

MOUNT, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Mitchell:

H.B. 697, A BILL TO BE ENTITLED AN ACT RELATING TO IREDELL COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Smith:

H.B. 698, A BILL TO BE ENTITLED AN ACT RELATING TO MOREHEAD-NEWPORT ANNEXATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Smith:

H.B. 699, A BILL TO BE ENTITLED AN ACT RELATING TO MINIMUM HOUSING IN THE TOWN OF NEWPORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 700, A BILL TO BE ENTITLED AN ACT RELATING TO THE 14TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers, Baker, Cole, Creech, Culp, Culpepper, Fox, Grady, Hill, Hurley, Kiser, McCombs, Mitchell, Owens, Smith, Tolson, Wilkins, G. Wilson, and Yongue:

H.B. 701, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES, is referred to the Committee on Environment.

By Representative Rogers:

H.B. 702, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH DISTRICT OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Owens, Culpepper, and H. Hunter:

H.B. 703, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXISTING BEAR HUNTING SEASON IN CAMDEN AND PASQUOTANK COUNTIES AND TO ESTABLISH A NEW BEAR HUNTING SEASON IN CAMDEN, CHOWAN, CURRITUCK, GATES, PASQUOTANK, AND WASHINGTON COUNTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson, Baddour, Bowie, Brawley, Buchanan, Clary, Crawford, Davis, Hiatt, Hill, Howard, Hurley, Ives, Justus, Kiser, McCombs, McCrary, Mercer, Mitchell, Nichols, Owens, Russell, Sexton, Sherrill, Starnes, and Tolson:

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL REGISTRATION PLATES FOR SHERIFFS, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representative Wilkins:

H.B. 705, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PERSON COUNTY FOR EXPANSION OF THE PERSON COUNTY COUNSELING CENTER, is referred to the Committee on Appropriations.

By Representative Wilkins:

H.B. 706, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PERSON COUNTY MUSEUM OF HISTORY, is referred to the Committee on Appropriations.

By Representatives Gulley, Baker, Barbee, Berry, Black, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Creech, Culp, Davis, Dickson, Eddins, Hall, Hardy, Hiatt, Justus, Kiser, McMahan, Morris, Rayfield, Reynolds, Sexton, Sherrill, Shubert, Starnes, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 707, A BILL TO BE ENTITLED AN ACT TO PERMIT CHILDREN TO ATTEND COMMUNITY SCHOOLS, is referred to the Committee on Education.

By Representatives Alexander, Black, Cunningham, Dickson, Earle, Easterling, Gulley, McMahan, Rayfield, Saunders, and C. Wilson:

H.B. 708, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, is referred to the Committee on Local and Regional Government II.

By Representatives Alexander and McMahan (Co-Sponsors); Baddour, Beall, Black, Church, Cole, Cunningham, Earle, Easterling, Fox, H. Hunter, Luebke, Miller, Mosley, Nye, Oldham, Ramsey, Saunders, Wainwright, Wilkins, and C. Wilson:

H.B. 709, A BILL TO BE ENTITLED AN ACT TO AMEND THE ELECTION LAWS TO SIMPLIFY BALLOTS AND TO ALLOW FLEXIBILITY IN ALLOCATION OF VOTING MACHINES, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Yongue, Bonner, and Goodwin (Co-Sponsors):

H.B. 710, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COST LIMIT ON CONSTRUCTION WORK UNDERTAKEN BY THE CITY OF LAURINBURG USING FORCE ACCOUNT QUALIFIED LABOR, is referred to the Committee on Ways and Means.

By Representatives Mosley, Adams, Alexander, Boyd-McIntyre, Earle, Easterling, R. Hunter, Jeffus, Morris, Nye, Redwine, Smith, Sutton, Tolson, and Womble:

H.B. 711, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PLANNING A MODEL CHILD DAY CARE FACILITY FOR STATE GOVERNMENT IN THE VICINITY OF THE STATE GOVERNMENT COMPLEX IN RALEIGH, is referred to the Committee on Appropriations.

By Representatives Earle, Alexander, Black, Easterling, Gulley, McMahan, and C. Wilson:

H.B. 712, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT ORDINANCES RELATING TO THE PARKING OR STANDING OF MOTOR VEHICLES NEAR

FIRE HYDRANTS AND FIRE STATIONS AND IN FIRE LANES, is referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 2 for **S.B. 141,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS, is read the first time and referred to the Committee on State Government.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.B. 289, A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 387, A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION.

On motion of Representative Daughtry and without objection, consideration of the bill is postponed until April 1.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 189, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA DRINKING WATER ACT SO THAT IT CONFORMS WITH FEDERAL LAW, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

Representative Cunningham requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (104-0).

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 194,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ACCOUNT WITHIN THE CLEAN WATER REVOLVING LOAN AND GRANT FUND SO THAT FUNDS MADE AVAILABLE UNDER THE FEDERAL SAFE DRINKING WATER ACT AMENDMENTS OF 1996 MAY BE USED BY THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 199,** A BILL TO BE ENTITLED AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND MUNICIPAL ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES.

Representative Sutton offers Amendment No. 1.

On motion of the Chair, the bill with pending amendment is temporarily displaced.

INTRODUCTION OF PAGES

Pages for the week of March 31 are introduced to the membership. They are: April Amelia Agne of Davie; Christopher Neil Breinich of Iredell; Walter Baker Council, II of Pitt; Julie Elizabeth Davis of Granville; Christopher Morgan Hensley of Wake; Joseph Milton Hodges, Jr., of Duplin; Jason Alan Kiser of Iredell; William E. Mick of Johnston;

Everette Milligan of Brunswick; Billie Jo Mills of Catawba; Mary Elizabeth Mills of Catawba; Afton Alexis Mosley of Wake; Weston Rodd Nesbit of Burke; Gary Vance Nichols of Wilkes; Amy Catherine Overstreet of Mecklenburg; John Julian Pugh of Randolph; Shana Marie Reece of Watauga; Daniel Thomas Shronce of Catawba; Chad Swanson of Harnett; Matthew Dale Thompson of Alamance; Jonas Addi Peter Wei of Wake; Amy N. Weisensel of Rowan; Patrick L. Williams of Guilford; Lindsay Price Wilson of Mecklenburg; and Joshua Wood of Guilford.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 560,** A BILL TO BE ENTITLED AN ACT DIRECTING THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR PARENTS WHO ARE PARTIES TO A CUSTODY OR VISITATION ACTION, is withdrawn from the Committee on Education and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Nesbitt, the House adjourns at 7:30 p.m. to reconvene April 1 at 2:00 p.m.

THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 1, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by Dr. Albert G. Edwards, Minister Emeritus, First Presbyterian Church, Raleigh, North Carolina, and former House Chaplain (1975-1983).

"Our triune God, unto all hearts are open, all desire known, from whom no secrets are hidden, and whose eyes behold our behavior day and night, we offer as our prayer the words of one who is unknown but whose words are remembered. From the cowardice that shrinks from new truths, from the laziness that is content with half truth, and from the arrogance that thinks it knows it all, oh Thou, Great God, deliver us. And we make our prayer in the name of Him who will lead us into all truths. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 31 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Aldridge, Creech, Hackney, Ives, and Preston for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 70, AN ACT TO REPEAL OBSOLETE OR REDUNDANT SCHOOL LAWS, TO TRANSFER THE STATUTES THAT ESTABLISH THE STATE SCHOOLS FOR HEARING- AND SIGHT-IMPAIRED STUDENTS FROM CHAPTER 115C TO CHAPTER 143B OF THE GENERAL STATUTES, TO STREAMLINE THE REPORTS OF THE STATE BOARD OF EDUCATION TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES.

S.B. 95, AN ACT TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE DECEMBER 31, 1996.

H.B. 78, ACT TO CLARIFY WHO IS EXEMPT FROM THE PUBLIC SCHOOL ADMINISTRATOR EXAM.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 99, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 283, A BILL TO BE ENTITLED AN ACT TO ALLOW PERQUIMANS COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Neely for the Committee on Judiciary II:

H.B. 114, A BILL TO BE ENTITLED AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 174, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO PERMIT AN ACTIVE SENTENCE TO BE IMPOSED FOR A CRIMINAL CONVICTION IF THE DEFENDANT SERVED TIME AWAITING TRIAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 183, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 407, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT

IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 337, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 2.

Committee Substitute for **H.B. 342,** A BILL TO BE ENTITLED AN ACT TO RAISE THE THRESHOLD FOR THE INFORMAL BIDDING PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE COUNTY OF MECKLENBURG, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 2.

By Representatives G. Wilson and Russell, Co-Chairs, for the Permanent Subcommittee on Capital and Budget:

S.B. 286, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM, reported to the Standing Committee on Appropriations, with a favorable recommendation.

By Representative McComas for the Permanent Subcommittee on Health:

H.B. 165, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, reported to the Standing Committee on Insurance, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Goodwin and Bonner:

H.B. 713, A BILL TO BE ENTITLED AN ACT RELATING TO RICHMOND COUNTY AND THE MUNICIPALITIES IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin and Bonner:

H.B. 714, A BILL TO BE ENTITLED AN ACT RELATING TO RICHMOND COUNTY AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin and Bonner:

H.B. 715, A BILL TO BE ENTITLED AN ACT RELATING TO SCOTLAND COUNTY AND THE MUNICIPALITIES IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Clary, Aldridge, Arnold, Baker, Barbee, Bonner, Bowie, Boyd-McIntyre, Brawley, Cansler, Capps, Culp, Davis, Dedmon, Earle, Goodwin, Hall, Howard, Ives, Justus, Kiser, McComas, Moore, Morris, Rayfield, Reynolds, Russell, Saunders, Sexton, Shubert, Watson, Weatherly, C. Wilson, and G. Wilson:

H.B. 716, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE ADULT DAY CARE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Clary, Goodwin, Morris, and G. Wilson:

H.B. 717, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OPERATION, CONSTRUCTION, AND RENOVATION OF SENIOR CENTERS, is referred to the Committee on Appropriations.

By Representative Hardy:

H.B. 718, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES, AND TO ALLOW THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES, is referred to the Committee on Ways and Means.

By Representative Hardy:

H.B. 719, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE UTILITIES COMMISSION SHALL SET RATES FOR THE MUNICIPALLY OWNED ELECTRIC UTILITIES IN THE TOWNS OF WASHINGTON AND BELHAVEN, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Commerce.

By Representative Hardy:

H.B. 720, A BILL TO BE ENTITLED AN ACT RELATING TO HYDE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 721, A BILL TO BE ENTITLED AN ACT RELATING TO PITT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 722, A BILL TO BE ENTITLED AN ACT RELATING TO BEAUFORT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 723, A BILL TO BE ENTITLED AN ACT RELATING TO HYDE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 724, A BILL TO BE ENTITLED AN ACT RELATING TO BEAUFORT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 725, A BILL TO BE ENTITLED AN ACT RELATING TO CRAVEN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 726, A BILL TO BE ENTITLED AN ACT RELATING TO HYDE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 727, A BILL TO BE ENTITLED AN ACT RELATING TO CRAVEN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 728, A BILL TO BE ENTITLED AN ACT RELATING TO HYDE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 729, A BILL TO BE ENTITLED AN ACT RELATING TO BEAUFORT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 730, A BILL TO BE ENTITLED AN ACT RELATING TO PITT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 731, A BILL TO BE ENTITLED AN ACT RELATING TO BEAUFORT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 732, A BILL TO BE ENTITLED AN ACT RELATING TO BEAUFORT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hardy:

H.B. 733, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, SHERIFF, OR COUNTY COMMISSIONER IN BEAUFORT COUNTY, IF THE VACATING MEMBER WAS ELECTED AS THE NOMINEE OF A POLITICAL PARTY, THE APPOINTING AUTHORITY SHALL APPOINT FROM A LIST RECOMMENDED BY THAT POLITICAL PARTY IF TWO OR MORE NAMES ARE SUBMITTED ON A TIMELY BASIS, is referred to the Committee on Ways and Means.

By Representative Fitch:

H.B. 734, A BILL TO BE ENTITLED AN ACT TO CLARIFY G.S. 153A-15 TO EXEMPT PUBLIC WATER SUPPLY AND DISTRIBUTION SYSTEMS FROM THE REQUIREMENT OF OBTAINING CONSENT FROM COUNTY BOARDS OF COMMISSIONERS, is referred to the Committee on Judiciary I.

By Representatives Gamble, Hensley, H. Hunter, Luebke, and Miller:

H.B. 735, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEGISLATIVE ETHICS ACT, TO AMEND THE LOBBYING STATUTES, TO AMEND THE LAWS RELATED TO PAYMENT OF TRAVEL AND SUBSISTENCE FOR LEGISLATORS, AND TO AMEND THE CAMPAIGN FINANCING LAWS FOR LEGISLATIVE CANDIDATES, is referred to the Committee on Ethics.

By Representatives Justus, Cansler, Capps, Davis, Ives, Morris, and Sexton:

H.B. 736, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL COUNTIES TO ISSUE VOTER REGISTRATION CARDS AND TO PROVIDE FOR A VOTER IDENTIFICATION REQUIREMENT AT THE POLLS, is referred to the Committee on Election Law and Campaign Reform.

By Representative Howard:

H.B. 737, A BILL TO BE ENTITLED AN ACT RELATING TO DAVIDSON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dickson and Hensley:

H.B. 738, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MANDATORY TESTING FOR EQUINE INFECTIOUS ANEMIA AND TO APPROPRIATE FUNDS TO ENFORCE THE MANDATORY TESTING, is referred to the Committee on Appropriations.

By Representatives Dickson, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Jarrell, Justus, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Tallent, Thompson, Tolson, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Yongue:

H.B. 739, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, is referred to the Committee on Judiciary I.

By Representative Daughtry:

H.B. 740, A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES, is referred to the Committee on Ways and Means.

By Representatives Neely and Baddour (Co-Sponsors):

H.B. 741, A BILL TO BE ENTITLED AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF NORTH CAROLINA TO IMPROVE THE COURT SYSTEM BY IMPLEMENTING THE NEW COURT STRUCTURE RECOMMENDED BY THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA, is referred to the Committee on Judiciary I.

By Representatives Baddour and Neely (Co-Sponsors):

H.B. 742, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE STATE COURT SYSTEM BY IMPLEMENTING THE NEW COURT STRUCTURE RECOMMENDED BY THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

By Representatives Morris, Capps, Hurley, Kinney, McAllister, Warner, and Yongue:

H.B. 743, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND APPROPRIATE FUNDS FOR A JUVENILE ASSESSMENT CENTER PROJECT AND TO ESTABLISH AN ADVISORY BOARD TO MAKE RECOMMENDATIONS REGARDING THE PROJECT, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 248,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES, is returned for concurrence in Senate committee substitute.

The Senate committee substitute is ruled material, thus constituting its first reading and is placed on the Calendar of April 2.

Upon concurrence, the Senate committee substitute changes the title.

S.B. 322, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PETITIONS TO QUALIFY INDEPENDENT CANDIDATES ON THE BALLOT FOR COUNTY OFFICE IN AVERY COUNTY RECEIVE THE MINIMUM AMOUNT OF SIGNATURES FROM EACH PRECINCT, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 429, A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

BILL TEMPORARILY DISPLACED

On motion of Representative Daughtry, **H.B. 387,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is temporarily displaced.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 288, A BILL TO BE ENTITLED AN ACT TO ALLOW SERVICE OF COMPLAINTS BY PUBLICATION AND SERVICE OF NOTICES AND ORDERS BY REGULAR MAIL IN HOUSING CODE CASES IN THE CITY OF GREENSBORO, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 260,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan,

Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Creech, Hackney, Ives, and Preston - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 363,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HUMAN RESOURCES NOT TO ELECT ANY CHILD SUPPORT DISTRIBUTION OPTION FOR WHICH FEDERAL FUNDS ARE NOT PROVIDED AND TO INCREASE THE APPLICATION FEE FOR NONPUBLIC ASSISTANCE CHILD SUPPORT ENFORCEMENT SERVICES.

Representative Cunningham offers Amendment No. 1 which is adopted by electronic vote (111-1).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Alexander, Arnold, Baker, Barbee, Beall, Berry, Bonner, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Davis, Decker, Dickson, Dockham, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hill, Holmes, Howard, R. Hunter, Hurley, Jarrell, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 82.

Voting in the negative: Representatives Adams, Allred, Baddour, Black, Blue, Boyd-McIntyre, Braswell, Dedmon, Earle, Easterling, Fitch, Hardaway, Hensley, Hightower, H. Hunter, Insko, Jeffus, Luebke, Mercer, Michaux, Miller, Mosley, Nesbitt, Redwine, Smith, Sutton, Wainwright, Warwick, Womble, Wright, and Yongue - 31.

Excused absences: Representatives Aldridge, Creech, Hackney, Ives, and Preston - 5.

House Committee Substitute for **S.B. 199,** A BILL TO BE ENTITLED AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND MUNICIPAL ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES, with Amendment No. 1 pending, is before the Body.

Representative Sutton withdraws Amendment No. 1.

The bill passes its second reading, by electronic vote (88-25), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 88, A BILL TO BE ENTITLED AN ACT TO GRANT SUBPOENA POWER TO THE STATE BOARD OF EDUCATION IN CASES INVOLVING THE SUSPENSION OR REVOCATION OF CERTIFICATES.

On motion of the Chair and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 311,** A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE EXCLUSION OF FORFEITED RESERVATION DEPOSITS FROM THE ESCHEAT FUND, passes its second reading, by electronic vote (98-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 275,** A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DELEGATION OF AUTHORITY OF

CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.

On motion of Representative Sherrill and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 349, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NEW MOTOR VEHICLES NEED BE INSPECTED ONLY WHEN THEY ARE SOLD TO THE FIRST PURCHASER, passes its second reading, by electronic vote (110-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 327, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE CATEGORIES OF APPOINTEES TO AREA MENTAL HEALTH AUTHORITY BOARDS, passes its second reading, by electronic vote (87-25), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRALS

On motion of the Chair and without objection, **S.B. 286,** A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM, is withdrawn from the Committee on Appropriations and re-referred to the Subcommittee on Capital and Budget.

On motion of Representative Morgan and without objection, **H.B. 560,** A BILL TO BE ENTITLED AN ACT DIRECTING THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR PARENTS WHO ARE PARTIES TO A CUSTODY OR VISITATION ACTION, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, seconded by Representative Owens, the House adjourns at 3:18 p.m. to reconvene April 2 at 2:00 p.m.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 2, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Dr. James W. Eller, Associate Pastor, First Presbyterian Church, Raleigh, North Carolina.

"God in Heaven, we give You thanks for the beauty of this spring season and the variety of experiences daily life brings us.

"We praise You for our State, its beauty, the riches it has for us and the gifts it showers upon us. We thank You for the people of this State – the variety of races we have, the cultural heritages we cherish, and the many possibilities we have for our State and her people to be great.

"And, O God, in our prayer today, we remember especially the men and women who bear strong influence on the life of our State:
those who fashion our politics in this legislature,
those who frame and administer our laws, and
those who mold public opinion through the press, radio, and television.

"May all these recognize their responsibility to You and to the well-being of our State, that people may be influenced for what is good, not evil; for what is true, not false; and for that which honors Your name. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (112-0).

Leaves of absence are granted Representatives Braswell, Gamble, Hackney, and Sutton for today. Representatives Brown, Ives, Russell, and G. Wilson are excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Barbee for the Committee on Pensions and Retirement:

H.B. 544, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PARTIAL PAYMENT OF EMPLOYEE CONTRIBUTIONS BY EMPLOYERS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 457, A BILL TO BE ENTITLED AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 463, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PERMISSIBLE WEIGHT OF AGRICULTURAL CROPS THAT MAY BE TRANSPORTED ON THE HIGHWAYS FROM THE FIELD TO A PLACE WITH CERTIFIED SCALES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

H.B. 411, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK

COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON'S MILLS TO DESCRIBE THE TOWN'S BOUNDARIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 636, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MANTEO TO REGULATE CERTAIN ACTIVITIES IN WATERWAYS ADJACENT TO THE TOWN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 3.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 348,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CIDER AND VINEGAR MANUFACTURER PERMIT TO BE ISSUED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 474, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHICH PREINDUCEMENT EXPENDITURES MAY BE FINANCED

WITH INDUSTRIAL REVENUE BONDS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 289, A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on today's Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I.

H.B. 231, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL REGISTRATION PLATES FOR SHERIFFS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

S.B. 167, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, with a favorable report.

On motion of the Chair, and pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

By Representative Morris for the Permanent Subcommittee on Military, Veterans, and Indian Affairs of the Standing Committee on State Government, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 299, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM ERA VETERANS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS, with a favorable report.

On motion of the Chair, pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

SUBCOMMITTEE REFERRALS

Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Standing Committee on Commerce, refer:

H.B. 325, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS, to the Permanent Subcommittee on Financial Institutions.

H.B. 495, A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE

TO UNSERVED COUNTIES THAT REFLECT THE ACTUAL COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION, to the Permanent Subcommittee on Public Utilities.

H.B. 547, A BILL TO BE ENTITLED AN ACT TO ENHANCE, ENSURE, AND PROTECT THE PUBLIC'S RIGHT TO CONTINUED ACCESS TO RENEWABLE RESOURCE ENERGY GENERATED BY SMALL POWER PRODUCERS OF FIVE MEGAWATTS OR LESS BY PROVIDING THAT AVOIDED COSTS TO A UTILITY FROM THAT ENERGY BE CALCULATED BY THE RESIDUAL REVENUE METHOD, to the Permanent Subcommittee on Public Utilities.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Neely:

H.B. 744, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ives:

H.B. 745, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE SHALL PAY THE COST OF ANY REQUIRED LEGAL ADVERTISING IT REQUIRES COUNTIES TO PLACE IN CONNECTION WITH ANY REFERENDUM PLACED ON THE BALLOT BY THE GENERAL ASSEMBLY, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Russell, Aldridge, Barbee, Beall, Berry, Black, Bonner, Capps, Clary, Cole, Creech, Culp, Daughtry, Davis, Decker, Dedmon, Eddins, Fox, Grady, Gulley, Hensley, R. Hunter, Hurley, Ives, Jarrell, McCrary, McMahan, Mercer, Moore, Mosley, Nichols, Preston, Ramsey, Rogers, Saunders, Sexton, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Wilkins, C. Wilson, G. Wilson, and Yongue:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM HIGHER EDUCATION ADMISSION REQUIREMENTS

FOR NONPUBLIC SCHOOL STUDENTS, is referred to the Committee on Education.

By Representatives Gulley, Eddins, Rayfield, and C. Wilson:

H.B. 747, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II.

By Representatives Gulley, Earle, and C. Wilson:

H.B. 748, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Smith and Watson:

H.B. 749, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ONSLOW COUNTY FOR CAPITAL EXPENSES IN CONSTRUCTING A NEW EMERGENCY OPERATIONS CENTER, is referred to the Committee on Appropriations.

By Representatives Beall and Ramsey:

H.B. 750, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Tallent, Moore, and Barbee (Co-Sponsors):

H.B. 751, A BILL TO BE ENTITLED AN ACT TO REDUCE RELIANCE ON DEBT FOR PUBLIC SCHOOL CONSTRUCTION IN CABARRUS COUNTY BY AUTHORIZING THE COUNTY TO LEVY A TEMPORARY SALES AND USE TAX OF ONE PERCENT, IF APPROVED BY THE VOTERS OF THE COUNTY, FOR PUBLIC

SCHOOL CONSTRUCTION, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Arnold:

H.B. 752, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE AGENCIES TO ISSUE DUPLICATE LICENSES WITHOUT CHARGE WHEN THE ORIGINAL LICENSES ARE DESTROYED OR STOLEN DURING THE COMMISSION OF A CRIME, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representative Morgan:

H.B. 753, A BILL TO BE ENTITLED AN ACT TO MOVE A PARCEL OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ABERDEEN AND TO THE TOWN OF SOUTHERN PINES, AND TO ANNEX A PARCEL OF PROPERTY TO THE TOWN OF ABERDEEN, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Dickson:

H.B. 754, A BILL TO BE ENTITLED AN ACT TO LEVY AN EXCISE TAX ON ILLICIT SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLICIT MIXED BEVERAGES, is referred to the Committee on Finance.

By Representative Shubert:

H.B. 755, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR UNION COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Shubert:

H.B. 756, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR UNION COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Owens, Culpepper, Hardaway, H. Hunter, Rogers, and Wilkins:

H.B. 757, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE NORTHEASTERN NORTH CAROLINA ECONOMIC DEVELOPMENT COMMISSION SO THAT ALL SIXTEEN COUNTIES OF THE REGION ARE REPRESENTED ON THE COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Hackney:

H.B. 758, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ORANGE COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY IN ORANGE COUNTY AND AN ENTERTAINMENT TAX ON EVENTS IN LARGE FACILITIES IN ORANGE COUNTY, RELATING TO CLASSIFICATIONS UNDER THE ORANGE COUNTY CIVIL RIGHTS ORDINANCE, TO CLARIFY THE AUTHORITY OF ORANGE COUNTY TO REGULATE THE USE, STORAGE, DISPOSAL, LABELING, OR APPLICATION OF PESTICIDES, AND TO MAKE TECHNICAL CHANGES IN THE ORANGE COUNTY ROOM OCCUPANCY TAX, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Insko, Culp, and Hackney:

H.B. 759, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHATHAM COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY IN CHATHAM COUNTY, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Insko and Hackney:

H.B. 760, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Insko and Hackney:

H.B. 761, A BILL TO BE ENTITLED AN ACT TO ALLOW HILLSBOROUGH TO CONTRACT FOR INSPECTION SERVICES, is referred to the Committee on Local and Regional Government I.

By Representatives Insko and Hackney:

H.B. 762, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN ENTERTAINMENT TAX ON EVENTS IN LARGE FACILITIES IN THE TOWN OF CHAPEL HILL, TO AUTHORIZE THE TOWN TO REQUIRE THAT NEW DEVELOPMENT INCLUDE HOUSING FOR A PERCENTAGE OF LOW- AND MODERATE-INCOME FAMILIES OR PROVIDE LAND OR PAYMENT IN LIEU OF PROVIDING SUCH HOUSING, TO PROVIDE AUTHORIZATION FOR LOCAL REVENUE OPTIONS FOR TRANSIT FUNDING, AND TO PROVIDE THAT THE TOWN'S OCCUPANCY TAX APPLY TO UNIVERSITY FACILITIES ON THE SAME BASIS AS IT APPLIES TO PRIVATE ACCOMMODATIONS FOR TRANSIENT OCCUPANCY, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representative Hill:

H.B. 763, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE NORTH CAROLINA MUSEUM OF FORESTRY, is referred to the Committee on Appropriations.

By Representatives Braswell and Watson:

H.B. 764, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF AN AGRI-COMMUNITY CENTER TO BE LOCATED IN DUPLIN COUNTY, is referred to the Committee on Appropriations.

By Representatives Braswell, Baddour, and Russell (Co-Sponsors):

H.B. 765, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 72, A BILL TO BE ENTITLED AN ACT TO GRANT SUBPOENA POWER TO THE STATE BOARD OF EDUCATION IN CASES INVOLVING THE SUSPENSION OR REVOCATION OF

CERTIFICATES, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 330,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SAFE-DEPOSIT BOXES, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 350,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING EMPLOYEE INSURANCE COMMITTEES TO ALLOW FOR A CENTRAL EMPLOYEE INSURANCE COMMITTEE IN THE DEPARTMENT OF HUMAN RESOURCES, is read the first time and referred to the Committee on Human Resources.

S.B. 411, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, is read the first time and referred to the Committee on Ways and Means.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 248,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES.

Representative Clary moves that the House concur in the Senate committee substitute.

Representative Daughtry calls the previous question on the motion and the call is sustained by electronic vote (88-26).

The House concurs in the material Senate committee substitute on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Baker, Barbee, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Creech, Culp, Culpepper, Daughtry, Davis, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Gardner, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hill, Holmes, Howard, Ives, Jeffus, Justus, Luebke, McAllister, McComas, McCombs, McMahan, Miner, Moore, Morgan, Morris, Mosley, Neely, Preston, Rayfield, Reynolds,

Russell, Sexton, Sherrill, Shubert, Starnes, Thompson, Warwick, Watson, Weatherly, C. Wilson, and G. Wilson - 64.

Voting in the negative: Representatives Adams, Allred, Arnold, Baddour, Beall, Berry, Blue, Carpenter, Cole, Cunningham, Decker, Dedmon, Earle, Fitch, Fox, Goodwin, Hardaway, Hensley, Hightower, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Kinney, Kiser, McCrary, Mercer, Michaux, Miller, Mitchell, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Redwine, Rogers, Saunders, Smith, Tallent, Tolson, Wainwright, Warner, Wilkins, Womble, Wood, Wright, and Yongue - 50.

Excused absences: Representatives Braswell, Gamble, Hackney, and Sutton - 4.

The bill remains on the Calendar for its third roll call reading.

H.B. 337, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wright, and Yongue - 97.

Voting in the negative: Representatives Allred, Baker, Blue, Capps, Daughtry, Fitch, Hardy, Hensley, H. Hunter, Morris, Rayfield, Starnes, and Wood - 13.

Excused absences: Representatives Braswell, Brown, Gamble, Hackney, Russell, Sutton, and G. Wilson - 7.

Representative Aldridge requests and is granted permission to be recorded as voting "no". The adjusted vote total is (96-14).

BILL TEMPORARILY DISPLACED

On motion of Representative Daughtry, **H.B. 387,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is temporarily displaced.

CALENDAR (continued)

Committee Substitute for **H.B. 342,** A BILL TO BE ENTITLED AN ACT TO RAISE THE THRESHOLD FOR THE INFORMAL BIDDING PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE COUNTY OF MECKLENBURG, passes its second reading and there being no objection is read a third time.

The bili passes its third reading and is ordered sent to the Senate.

House Committee Substitute for **S.B. 260,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Buchanan, Cansler, Capps, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Braswell, Brown, Gamble, Hackney, Russell, Sutton, and G. Wilson - 7.

Committee Substitute for **H.B. 363,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HUMAN RESOURCES NOT TO ELECT ANY CHILD SUPPORT DISTRIBUTION OPTION FOR WHICH FEDERAL FUNDS ARE NOT PROVIDED AND TO INCREASE THE APPLICATION FEE FOR NONPUBLIC ASSISTANCE CHILD SUPPORT ENFORCEMENT SERVICES, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Alexander, Arnold, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hiatt, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, and Yongue - 93.

Voting in the negative: Representatives Allred, Baddour, Blue, Boyd-McIntyre, Earle, Easterling, Hensley, Hightower, Insko, Luebke, Mercer, Michaux, Miller, Nesbitt, Rogers, Saunders, and Wright - 17.

Excused absences: Representatives Braswell, Brown, Gamble, Hackney, Russell, Sutton, and G. Wilson - 7.

H.B. 88, A BILL TO BE ENTITLED AN ACT TO GRANT SUBPOENA POWER TO THE STATE BOARD OF EDUCATION IN CASES INVOLVING THE SUSPENSION OR REVOCATION OF CERTIFICATES, passes its second reading, by electronic vote (89-21), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 275,** A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS,

AND INSTITUTIONS BY THE DELEGATION OF AUTHORITY OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.

Representative Sherrill offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.J.R. 376, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THE EARLY SUPPORTERS OF THE DURHAM PUBLIC LIBRARY ON THE LIBRARY'S ONE HUNDREDTH ANNIVERSARY, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 328,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS.

Representative Culpepper offers Amendment No. 1 which fails of adoption by electronic vote (38-74).

Representative Hensley offers Amendment No. 2 which fails of adoption by electronic vote (41-66).

The bill passes its second reading by electronic vote (97-11).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Representative Allred states that his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (97-12).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 277,** A BILL TO BE ENTITLED AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF ELECTIONS, passes its second reading, by electronic vote (98-8), and there being no objection is read a third time.

Representative Wainwright states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (99-8).

On motion of Representative Hightower and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 7.

S.B. 289, A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Braswell, Brown, Gamble, Hackney, Ives, Sutton, and G. Wilson - 7.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
April 2, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 38** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, and requests conferees. The President Pro Tempore appoints:

Senator Hoyle, Co-Chairman
Senator Rand, Co-Chairman

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representatives Morgan, Dickson, and Tallent as Co-Chairs of the conference committee on the part of the House and the Senate is so notified by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 432,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LESSONS LEARNED FROM HURRICANE FRAN WITH RESPECT TO THE MOBILIZATION OF THE NORTH CAROLINA NATIONAL GUARD, is withdrawn from the Calendar pursuant to Rule 36(a), and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative McCombs, the House adjourns at 4:09 p.m. to reconvene April 3 at 1:00 p.m.

THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 3, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Preston.

Representative Dockham, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Representative Mosley requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (95-0).

Leaves of absence are granted Representatives Boyd-McIntyre, Braswell, Clary, Esposito, Gamble, Hackney, McMahan, Nichols, Reynolds, Sherrill, Thompson, and Wright for today. Representatives Brawley and R. Hunter are excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Weatherly for the Committee on State Government:

H.B. 160, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 7.

By Representatives Aldridge and Howard, Co-Chairs, for the Committee on Human Resources:

H.B. 73, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SHARE OF NONFEDERAL PAYMENTS FOR MEDICAL ASSISTANCE AND SOCIAL SERVICES FOR CERTAIN ECONOMICALLY DISADVANTAGED COUNTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

S.B. 388, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ASSESSMENT OF INTANGIBLES TAX FROM TAXPAYERS WHO BENEFITED FROM THE TAXABLE PERCENTAGE DEDUCTION IN THE FORMER INTANGIBLES TAX STATUTE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 239, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 484, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 126,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AN APPLICANT FOR A PERMIT UNDER THE STATUTES GOVERNING SOLID WASTE MANAGEMENT BE

FINANCIALLY QUALIFIED AND DEMONSTRATE SUBSTANTIAL COMPLIANCE WITH ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 140, A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 150, A BILL TO BE ENTITLED AN ACT TO REDUCE THE FREQUENCY OF THE REPORT ON THE INACTIVE HAZARDOUS SUBSTANCE RESPONSE ACT OF 1987 FROM ANNUALLY TO EVERY TWO YEARS AND TO CLARIFY THE PUBLIC COMMENT PERIOD ON REMEDIAL ACTION PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative G. Wilson for the Permanent Subcommittee on Aging:

H.B. 110, A BILL TO BE ENTITLED AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS, reported to the Standing Committee on Human Resources, without prejudice.

By Representative Allred for the Committee on Ways and Means:

H.B. 629, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY AND TO MODIFY THE LAW LIMITING THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 7. The original bill is placed on the Unfavorable Calendar.

H.B. 588, A BILL TO BE ENTITLED AN ACT TO ADD ALAMANCE, CASWELL, ORANGE, AND ROCKINGHAM COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Having received a unanimous vote in committee, the committee substitute bill is placed on the Consent Calendar of April 8. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 195, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MAKE CLARIFYING CHANGES TO POST-RELEASE SUPERVISION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL RETIRED HIGH POINT FIREMEN TO RECEIVE PENSION BENEFITS, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

H.B. 496, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 7.

H.B. 508, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT ON THE UPPER CATAWBA RIVER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 7.

H.B. 516, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN COLUMBUS COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 7.

H.B. 532, A BILL TO BE ENTITLED AN ACT TO DELETE CERTAIN OBSOLETE PROVISIONS AND MAKE CERTAIN TECHNICAL AMENDMENTS IN THE CHARTER OF THE CITY OF HENDERSON AND TO AUTHORIZE ENTRY INTO AGREEMENTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 7. The original bill is placed on the Unfavorable Calendar.

H.B. 545, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 7.

H.B. 548, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 7.

H.B. 549, A BILL TO BE ENTITLED AN ACT TO EXCHANGE TRACTS OF LAND BETWEEN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND THE TOWN OF BILTMORE FOREST, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 589, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 7. The original bill is placed on the Unfavorable Calendar.

H.B. 596, A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 7.

H.B. 603, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 59, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 291, A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, with favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representative Dockham, Chair for the Standing Committee on Insurance, refers **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS, to the Permanent Subcommittee on Health.

Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Standing Committee on Commerce, refer **H.B. 499,** A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS, to the Permanent Subcommittee on Business and Labor.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McMahan, Alexander, Black, Cunningham, Earle, Gulley, Kiser, Rayfield, Saunders, and C. Wilson:

H.B. 766, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM IN MECKLENBURG COUNTY, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Pensions and Retirement.

By Representatives McAllister, Adams, Bonner, Cunningham, Fitch, Hurley, Kinney, Morris, Sutton, Wainwright, Warner, and Yongue:

H.B. 767, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TWO NEW UNIVERSITY OF NORTH CAROLINA CONSORTIA AT FAYETTEVILLE STATE UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, is referred to the Committee on Appropriations.

By Representatives Culp, Adams, Bonner, Bowie, Dockham, Jarrell, and Jeffus:

H.B. 768, A BILL TO BE ENTITLED AN ACT RELATING TO PROPERTY ACQUISITIONS BY LARGE WATER AND SEWER AUTHORITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sherrill, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Cansler, Clary, Cole, Davis, Dedmon, Dickson, Dockham, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardy, Hiatt, Hightower,

Holmes, Ives, Justus, McAllister, McComas, McCombs, McMahan, Miner, Moore, Morris, Mosley, Neely, Nichols, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Shubert, Tallent, Thompson, Tolson, Warwick, Watson, C. Wilson, G. Wilson, and Yongue:

H.B. 769, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Kiser, Aldridge, Allred, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Eddins, Ellis, Esposito, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Nye, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Yongue:

H.B. 770, A BILL TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF TRAFFICKING IN MARIJUANA BY CHANGING THE AMOUNT OF MARIJUANA THAT WOULD BE CONSIDERED TRAFFICKING, is referred to the Committee on Judiciary II.

By Representative Redwine:

H.B. 771, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF A SANITARY DISTRICT WITH FOUR-YEAR TERMS THAT ARE NOT STAGGERED TO PROVIDE FOR STAGGERED TERMS, is referred to the Committee on Environment.

By Representatives Redwine and Hill (Co-Sponsors):

H.B. 772, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SHALLOTTE TO AUTHORIZE THE TOWN TO ENFORCE ORDINANCES AS PROVIDED IN THE GENERAL LAW, is referred to the Committee on Ways and Means.

By Representatives Redwine and Hill (Co-Sponsors):

H.B. 773, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, is referred to the Committee on Ways and Means.

By Representatives Ramsey and Beall:

H.B. 774, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN AGRICULTURE CENTER IN HAYWOOD COUNTY, is referred to the Committee on Appropriations.

By Representatives Hill and Redwine:

H.B. 775, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR ECONOMIC DEVELOPMENT PROJECTS IN COLUMBUS COUNTY, is referred to the Committee on Appropriations.

By Representative Hardaway:

H.B. 776, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW IN HALIFAX COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weatherly, Clary, and Dedmon:

H.B. 777, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION OR INITIATE ANNEXATION BY RESOLUTION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF KINGS MOUNTAIN, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Weatherly, Clary, and Dedmon:

H.B. 778, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO EXTEND ITS EXTRA-TERRITORIAL JURISDICTION TWO MILES FROM ITS CITY LIMITS, is referred to the Committee on Local and Regional Government II.

By Representative Wilkins:

H.B. 779, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM

DEVELOPMENT TAX, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Wilkins:

H.B. 780, A BILL TO BE ENTITLED AN ACT RELATING TO VANCE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wilkins:

H.B. 781, A BILL TO BE ENTITLED AN ACT RELATING TO PERSON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wilkins:

H.B. 782, A BILL TO BE ENTITLED AN ACT RELATING TO WARREN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wilkins:

H.B. 783, A BILL TO BE ENTITLED AN ACT RELATING TO GRANVILLE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wilkins:

H.B. 784, A BILL TO BE ENTITLED AN ACT RELATING TO FRANKLIN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wilkins:

H.B. 785, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROANOKE RAPIDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Moore and Tallent (Co-Sponsors); and Barbee:

H.B. 786, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CONCORD TO ALLOW THE CITY

MANAGER TO APPOINT THE FINANCE DIRECTOR AND THE CITY CLERK, is referred to the Committee on Local and Regional Government II.

By Representative Smith:

H.B. 787, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF NEW SHELLFISH CULTIVATION LEASES IN CORE BANKS AND TO ESTABLISH A MORATORIUM ON SHELLFISH LEASES IN THE REMAINING AREA IN CORE SOUND, is referred to the Committee on Environment.

By Representative Smith:

H.B. 788, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF NEW SHELLFISH CULTIVATION LEASES IN PARTS OF CORE SOUND, is referred to the Committee on Environment.

By Representative Barbee:

H.B. 789, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF OAKBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Michaux:

H.B. 790, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHECK TAKER OR ACCEPTOR SHALL NOT WRITE OR PRINT THE RACE OR GENDER ON THE CHECK OR DRAFT OF A CHECK PASSER, is referred to the Committee on Judiciary I.

By Representatives Michaux and Mosley:

H.B. 791, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DURHAM PUBLIC SCHOOLS TO DISPOSE OF CERTAIN REAL PROPERTY, is referred to the Committee on Ways and Means.

By Representative Michaux:

H.B. 792, A BILL TO BE ENTITLED AN ACT REPEALING SECTION 116 OF THE CHARTER OF THE CITY OF DURHAM CONCERNING THE INSPECTION OF CITY RECORDS IN THE PRESENCE OF THE CITY MANAGER AND THE CITY CLERK, is referred to the Committee on Ways and Means.

By Representative Daughtry:

H.B. 793, A BILL TO BE ENTITLED AN ACT RELATING TO JOHNSTON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ives and Sherrill:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker and Black:

H.B. 795, A BILL TO BE ENTITLED AN ACT TO ALLOCATE THE DUTIES OF ROLLER SKATING RINK OPERATORS AND THE DUTIES OF ROLLER SKATERS AT ROLLER SKATING RINKS AS THESE DUTIES RELATE TO SAFETY AND LIABILITY FOR PERSONAL INJURY, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

By Representatives Crawford, Howard, and Blue (Co-Sponsors); Aldridge, Allred, Baddour, Baker, Black, Bonner, Brown, Buchanan, Cansler, Church, Cole, Culpepper, Fox, Gamble, Goodwin, Grady, Hiatt, Hill, Hurley, Jeffus, Justus, Kiser, Mercer, Morris, Mosley, Nye, Preston, Redwine, Rogers, Russell, Sexton, Sherrill, Smith, Watson, Wilkins, and G. Wilson:

H.B. 796, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPETITION, CHOICE, AND AVAILABILITY IN THE PURCHASE OF PRESCRIPTION DRUGS AND PHARMACEUTICAL SERVICES, is referred to the Committee on Insurance.

By Representative Watson:

H.B. 797, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WALLACE TO ALLOW THE MAYOR TO BE ELECTED FOR A TERM OF FOUR YEARS, is referred to the Committee on Ways and Means.

By Representative Watson:

H.B. 798, A BILL TO BE ENTITLED AN ACT TO PROVIDE A

FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE, is referred to the Committee on Ways and Means.

By Representative Watson:

H.B. 799, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO DUPLIN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Watson:

H.B. 800, A BILL TO BE ENTITLED AN ACT RELATING TO DUPLIN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Watson:

H.B. 801, A BILL TO BE ENTITLED AN ACT RELATING TO DUPLIN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Watson:

H.B. 802, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF AN AGRI-COMMUNITY CENTER TO BE LOCATED IN DUPLIN COUNTY, is referred to the Committee on Appropriations.

By Representatives Gardner, Allred, and Brawley:

H.B. 803, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA COMPREHENSIVE HEALTH INSURANCE RISK POOL ACT, is referred to the Committee on Insurance.

By Representatives Kiser and Berry:

H.B. 804, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MAINTENANCE OF CERTAIN SECONDARY ROADS IN LINCOLN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 805, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ADMINISTRATION TO ESTABLISH A BATTERERS' PROGRAM TO SERVE BERTIE, HERTFORD, AND NORTHAMPTON COUNTIES, is referred to the Committee on Appropriations.

By Representatives Berry, Brawley, Buchanan, Kiser, and Thompson:

H.B. 806, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CONOVER TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE, is referred to the Committee on Local and Regional Government II.

By Representatives Grady, Preston, Smith, and Watson:

H.B. 807, A BILL TO BE ENTITLED AN ACT TO ALLOW ONSLOW COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARDS OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representatives Miner and Mosley:

H.B. 808, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CARY TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE CITY AND AREAS WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, is referred to the Committee on Local and Regional Government I.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 96, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENT THAT PAWNSHOP RECORDS BE MADE AVAILABLE TO LOCAL LAW ENFORCEMENT, is read the first time and referred to the Committee on Commerce.

CALENDAR

Action is taken on the following:

On motion of Representative Morgan and without objection, Rule 5(10) is suspended and **S.B. 289,** A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY, is moved up on the Calendar.

The bill passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor today.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Eddins, Ellis, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 96.

Voting in the negative: None.

Excused absences: Representatives Boyd-McIntyre, Braswell, Brawley, Clary, Esposito, Gamble, Hackney, McMahan, Nichols, Reynolds, Sherrill, Thompson, and Wright - 13.

Senate Committee Substitute for **H.B. 248,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES AND MOTOR CYCLE LEARNERS' PERMITS.

On motion of Representative Clary, the House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Brown, Buchanan, Cansler, Capps, Church, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hardy, Hiatt, Hightower, Hill,

Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Luebke, McComas, McCombs, McCrary, Mercer, Miller, Miner, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Oldham, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Shubert, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 86.

Voting in the negative: Representatives Adams, Allred, Carpenter, Cunningham, Decker, Fitch, Hensley, H. Hunter, Kiser, Mitchell, Nye, Owens, Smith, and Wood - 14.

Excused absences: Representatives Boyd-McIntyre, Braswell, Brawley, Clary, Esposito, Gamble, Hackney, McMahan, Nichols, Reynolds, Sherrill, Thompson, and Wright - 13.

H.B. 337, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Barbee, Beall, Berry, Black, Bonner, Bowie, Brown, Buchanan, Cansler, Church, Cole, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Luebke, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, Womble, and Yongue - 85.

Voting in the negative: Representatives Allred, Baker, Capps, Creech, Daughtry, Davis, Hardy, Hensley, Starnes, G. Wilson, and Wood - 11.

Excused absences: Representatives Boyd-McIntyre, Braswell, Brawley, Clary, Esposito, Gamble, Hackney, McMahan, Nichols, Reynolds, Sherrill, Thompson, and Wright - 13.

BILL TEMPORARILY DISPLACED

On motion of Representative Daughtry, **H.B. 387,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS

OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is temporarily displaced.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 636, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MANTEO TO REGULATE CERTAIN ACTIVITIES IN WATERWAYS ADJACENT TO THE TOWN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 328,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS.

Representative Arnold calls the previous question on the passage of the bill and the call is sustained by electronic vote (50-47).

The bill passes its third reading, by electronic vote (87-12), and is ordered sent to the Senate.

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (88-12).

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 289, AN ACT TO RAISE THE CAP ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY.

On motion of Representative Dockham, seconded by Representative Kiser, the House adjourns at 1:29 p.m. to reconvene Monday, April 7, 1997, at 6:00 p.m.

THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 7, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by Dr. Dumas A. Harshaw, Jr., First Baptist Church, Raleigh, North Carolina.

"O God, our help in ages past,
Our hope for years to come,
Our shelter from the stormy blast,
And our eternal home.

Under the shadow of thy throne,
Still may we dwell secure,
Sufficient is thine arm alone,
And our defense is sure."

"Dear Eternal God,

"Our hearts rejoice because of the gift of another day. We are grateful for the measure of mercy which is ours because of Thy guidance.

"Help us to find hope in the promise of Your presence and the strength in the comfort of Your Word.

"Enlighten our minds to know the ways of goodness and peace, that our relationships may reflect Thy glory and bring love and meaning to the lives of others.

"We are thankful, though overwhelmed, by the awesome responsibilities You have placed upon our shoulders. Give us courage today to fulfill the trust which has been placed in us.

'The Task That Is Given You

To each one is given a marble carve for the wall;
A stone that is needed to heighten the beauty of all;
And only His soul has the magic to give it grace;

And only His hands have the cunning to put it in place;

Yes, the task that is given to each one, no other can do;
So the errand is waiting; it has waited through ages for you.
And now you appear; and the hushed ones are turning their gaze,
To see what you do with your chance in the chamber of days.'

Edwin Markham

"In the name of Christ. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Bowie, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 3 has been examined and found correct. Upon her motion, the Journal is approved as written by electronic vote (90-0).

Leaves of absence are granted Representatives Barbee, Blue, Ellis, Gray, Luebke, Sherrill, and Thompson for today. Representatives Allred, Crawford, Hardaway, R. Hunter, and Morris are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 95, AN ACT TO ESTABLISH A THREE-YEAR CYCLE FOR BUILDING CODE AMENDMENTS BEGINNING IN 1999 AND TO MAKE RELATED CHANGES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THE STATE BUILDING CODE.

H.B. 248, AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES AND MOTORCYCLE LEARNERS' PERMITS.

S.B. 199, AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 289, AN ACT TO RAISE THE CAP ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY. (S.L. 1997-13)

S.B. 79, AN ACT TO REPEAL MORE ANTIQUATED LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 1997-14)

H.B. 139, AN ACT TO AMEND THE SEX OFFENDER REGISTRATION LAW TO CLARIFY THAT PERSONS CONVICTED OF SEX OFFENSES IN FEDERAL COURT AND OTHER STATES ARE REQUIRED TO REGISTER. (S.L. 1997-15)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 175, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO MAKE CERTAIN TECHNICAL, CLARIFYING, AND CONFORMING AMENDMENTS TO STRUCTURED SENTENCING, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Hardy and Daughtry, Co-Chairs, for the Committee on Judiciary I:

H.B. 618, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR MISREPRESENTATION UNDER THE WORKERS' COMPENSATION ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 187, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS ON ADMINISTRATIVE PROCEDURE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 455, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES CONCERNING THE DETECTION, PREVENTION, CARE, AND TREATMENT OF GLAUCOMA, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Tolson:

H.B. 809, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EDGECOMBE COUNTY TO LEVY A COUNTYWIDE SUPPLEMENTAL SCHOOL TAX, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Tolson:

H.B. 810, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO AUTHORIZE EDGECOMBE COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Tolson:

H.B. 811, A BILL TO BE ENTITLED AN ACT TO ANNEX THE GOLD ROCK I-95 INTERCHANGE AREA INTO THE CITY OF ROCKY MOUNT, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Russell, Baddour, and Braswell (Co-Sponsors):

H.B. 812, A BILL TO BE ENTITLED AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE, is referred to the Committee on Local and Regional Government I.

By Representatives Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Creech, Culpepper, Daughtry, Dedmon, Dickson, Earle, Easterling, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hiatt, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, Mercer, Michaux, Miller, Miner, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, and G. Wilson:

H.B. 813, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICE PLANS, HMO PLANS, AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO PROVIDE COVERAGE FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM MASTECTOMY, is referred to the Committee on Insurance.

By Representatives Bowie, Adams, Barbee, Bonner, Cansler, Dickson, Dockham, Esposito, Gulley, Hardy, Holmes, Jarrell, Jeffus, McComas, McMahan, Neely, Rayfield, Russell, Saunders, Sherrill, Tallent, Wainwright, Watson, and Wright:

H.B. 814, A BILL TO BE ENTITLED AN ACT REQUIRING THAT NONRESIDENT PHYSICIANS WHO TREAT PATIENTS IN THIS STATE THROUGH THE USE OF ELECTRONIC OR OTHER MEDIUMS SHALL BE LICENSED IN THIS STATE AND SHALL BE SUBJECT TO REASONABLE REGULATIONS BY THE NORTH CAROLINA MEDICAL BOARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 815, A BILL TO BE ENTITLED AN ACT RELATING TO CHOWAN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner, Hurley, Kinney, McAllister, Morris, and Yongue:

H.B. 816, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF HOPE MILLS, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Fox and Wilkins:

H.B. 817, A BILL TO BE ENTITLED AN ACT TO DELETE CERTAIN OBSOLETE PROVISIONS AND MAKE CERTAIN TECHNICAL AMENDMENTS IN THE CHARTER OF THE CITY OF HENDERSON AND TO AUTHORIZE ENTRY INTO AGREEMENTS, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Culpepper:

H.B. 818, A BILL TO BE ENTITLED AN ACT RELATING TO DARE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 819, A BILL TO BE ENTITLED AN ACT RELATING TO PERQUIMANS COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 820, A BILL TO BE ENTITLED AN ACT RELATING TO TYRRELL COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 821, A BILL TO BE ENTITLED AN ACT RELATING TO WASHINGTON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 822, A BILL TO BE ENTITLED AN ACT TO PROVIDE STATE FUNDS FOR A SCHOOL RESOURCE OFFICER AT COLUMBIA HIGH SCHOOL TO THE TYRRELL COUNTY SHERIFF'S DEPARTMENT INSTEAD OF THE TYRRELL COUNTY BOARD OF EDUCATION, is referred to the Committee on Appropriations.

By Representative Culpepper:

H.B. 823, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS FOR THE RESIGNATION, REMOVAL, AND RENUNCIATION OF TRUSTEES AND FOR THE APPOINTMENT OF SUCCESSOR TRUSTEES, is referred to the Committee on Judiciary II.

By Representatives McMahan, Aldridge, Arnold, Barbee, Berry, Bowie, Cansler, Creech, Culp, Daughtry, Dockham, Eddins, Grady, Gulley, McComas, Miner, Morris, Neely, Rayfield, Redwine, Russell, Sherrill, Shubert, Tallent, Thompson, C. Wilson, and G. Wilson:

H.B. 824, A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Redwine, Hill, and Wright (Co-Sponsors):

H.B. 825, A BILL TO BE ENTITLED AN ACT TO RESTRICT ANNEXATIONS BY THE TOWNS OF LELAND AND BELVILLE AND TO ALLOW THE TOWN OF BELVILLE TO EXERCISE ITS EXTRATERRITORIAL PLANNING JURISDICTION WITHIN A CERTAIN DESCRIBED AREA, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Redwine, Hill, and Wright (Co-Sponsors):

H.B. 826, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives H. Hunter and Cansler:

H.B. 827, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ESTABLISHMENT OF HEALTHY

CAROLINIAN PARTNERSHIP INITIATIVES IN EACH COUNTY, is referred to the Committee on Appropriations.

By Representatives Fitch and Arnold (Co-Sponsors):

H.B. 828, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILSON TO INCREASE THE SETTLEMENT AUTHORITY OF THE CITY MANAGER, is referred to the Committee on Ways and Means.

By Representative Morris:

H.B. 829, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR CUMBERLAND COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morris:

H.B. 830, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR CUMBERLAND COUNTY AND THE MUNICIPALITIES IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative R. Hunter:

H.B. 831, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF YANCEY COUNTY BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Judiciary I.

By Representatives Thompson and Buchanan:

H.B. 832, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF NEWLAND IN AVERY COUNTY AND THE TOWN OF SPRUCE PINE IN MITCHELL COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Wright:

H.B. 833, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE THE CITY TO SERVE COMPLAINTS OR ORDERS IN HOUSING CODE CASES BY REGULAR MAIL IN ADDITION TO CERTIFIED OR REGISTERED MAIL, is referred to the Committee on Ways and Means.

By Representative Wright:

H.B. 834, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILMINGTON TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, is referred to the Committee on Ways and Means.

By Representative Wright:

H.B. 835, A BILL TO BE ENTITLED AN ACT TO MODIFY THE METHOD FOR JUDICIAL REVIEW OF DECISIONS OF THE WILMINGTON CITY COUNCIL RELATING TO SPECIAL USE DISTRICT APPLICATIONS, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Judiciary I.

By Representatives Wright and Goodwin:

H.B. 836, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, is referred to the Committee on Local and Regional Government I.

By Representative Wright:

H.B. 837, A BILL TO BE ENTITLED AN ACT RELATING TO PENDER COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 838, A BILL TO BE ENTITLED AN ACT RELATING TO NEW HANOVER COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 839, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF NAVASSA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 840, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF WILMINGTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hensley and Blue (Co-Sponsors); and Mosley:

H.B. 841, A BILL TO BE ENTITLED AN ACT ESTABLISHING BINDING JOINT ZONING JURISDICTION FOR THE SWIFT CREEK AREA IN WAKE COUNTY SUBJECT TO MODIFICATION ONLY BY INTERLOCAL AGREEMENT BY AND BETWEEN ALL JURISDICTIONS INVOLVED OR BY ACTION OF THE GENERAL ASSEMBLY, is referred to the Committee on Local and Regional Government I.

By Representatives Yongue, Bonner, Goodwin, and Sutton:

H.B. 842, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF PEMBROKE FOR THE PURCHASE OF A NEW FIRE TRUCK, is referred to the Committee on Appropriations.

By Representative Starnes (by request):

H.B. 843, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Cole:

H.B. 844, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO RESTRICT ANNEXATION OF THE CITY BEYOND A LINE, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Rayfield, Berry, Black, Bonner, Brown, Buchanan, Clary, Dickson, Gamble, Gulley, Kiser, McMahan, Oldham, Sexton, Sherrill, Weatherly, and G. Wilson:

H.B. 845, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN

GASTON COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Dockham:

H.B. 846, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF DENTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culp and Jeffus:

H.B. 847, A BILL TO BE ENTITLED AN ACT AUTHORIZING MEMBERS OF THE PIEDMONT TRIAD REGIONAL WATER AUTHORITY TO ENTER INTO CERTAIN AGREEMENTS, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Bowie and Jeffus:

H.B. 848, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR THE CONSTRUCTION OF A JUVENILE DETENTION CENTER IN GUILFORD COUNTY, is referred to the Committee on Appropriations.

By Representatives Bowie, Adams, Boyd-McIntyre, Goodwin, Jarrell, Jeffus, McAllister, and Sexton:

H.B. 849, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gulley:

H.B. 850, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MATTHEWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Smith and Preston:

H.B. 851, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE FOR THE TOWN OF CAPE CARTERET AND

AREAS WITHIN THE TOWN'S EXTRATERRITORIAL PLANNING JURISDICTION, is referred to the Committee on Ways and Means.

By Representative Baker:

H.B. 852, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INFORMATION IN THE STOKES COUNTY 911 DATABASE OBTAINED FROM A TELEPHONE COMPANY IS CONFIDENTIAL IF REQUIRED BY THE AGREEMENT OBTAINING THE INFORMATION, is referred to the Committee on Local and Regional Government II.

By Representative Nye:

H.B. 853, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN PHYSICIANS AND AUDIOLOGISTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hensley (by request):

H.B. 854, A BILL TO BE ENTITLED AN ACT CONCERNING WATER AND SEWER CAPACITY REPLACEMENT FACILITY FEES BY THE TOWN OF GARNER, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Hall:

H.B. 855, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION, is referred to the Committee on Judiciary I.

By Representative Culpepper:

H.B. 856, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CUMULATIVE VOTING AS THE METHOD OF ELECTION OF THE TYRRELL COUNTY BOARD OF COMMISSIONERS AND BOARD OF EDUCATION, TO BE SUBMITTED TO THE UNITED STATES DISTRICT COURT, is referred to the Committee on Judiciary I.

By Representatives Alexander, Bonner, Church, Dickson, Easterling, Fox, Goodwin, Ives, Jeffus, Preston, and Wainwright:

H.B. 857, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE EARLY INTERVENTION SERVICES FOR CHILDREN UNDER THREE WITH OR AT RISK FOR DISABILITIES, is referred to the Committee on Appropriations.

By Representatives Alexander, Bonner, Church, Dickson, Easterling, Fox, Ives, Jeffus, Smith, and Wainwright:

H.B. 858, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA ADDICTION RESEARCH AUTHORITY, is referred to the Committee on Appropriations.

By Representatives Redwine and Hill (Co-Sponsors):

H.B. 859, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE ROOM OCCUPANCY TAXES, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Redwine and Hill:

H.B. 860, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CAROLINA SHORES FROM AN AREA PREVIOUSLY ANNEXED INTO THE TOWN OF CALABASH, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives McAllister and Kinney:

H.B. 861, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF FAYETTEVILLE'S PUBLIC WORKS COMMISSION TO RETURN PROFITS AND EXCESS MONIES TO ITS CUSTOMERS IN THE FORM OF REBATES OR REDUCED FEES, SUBJECT TO A REFERENDUM, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives McAllister and Kinney:

H.B. 862, A BILL TO BE ENTITLED AN ACT TO LIMIT THE CITY OF FAYETTEVILLE'S SPENDING ON DOWNTOWN REVITALIZATION, SUBJECT TO A REFERENDUM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McAllister, Hurley, Kinney, Morris, and Warner:

H.B. 863, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CUMBERLAND SHELTERED WORKSHOP, is referred to the Committee on Appropriations.

By Representatives Preston, Arnold, Baddour, Baker, Black, Bonner, Bowie, Buchanan, Culp, Dedmon, Easterling, Fox, Grady, Gray, Gulley, Hiatt, Jarrell, Jeffus, Justus, McAllister, McCombs, McMahan, Miner, Moore, Morris, Mosley, Nichols, Oldham, Owens, Redwine, Rogers, Russell, Saunders, Sexton, Smith, Thompson, Wainwright, Warner, Watson, and Weatherly:

H.B. 864, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REDUCE CLASS SIZE IN THE THIRD GRADE, is referred to the Committee on Appropriations.

By Representative Preston:

H.B. 865, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SNEADS FERRY, SUBJECT TO A REFERENDUM, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Preston and Smith:

H.B. 866, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS SUBJECT TO A REFERENDUM AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM, is referred to the Committee on Ways and Means.

By Representative Gulley:

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN

PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Wainwright:

H.B. 868, A BILL TO BE ENTITLED AN ACT TO COVER TEMPOROMANDIBULAR JOINT DYSFUNCTION APPLIANCE THERAPY REGARDLESS OF CAUSE UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Public Employees and, if favorable, to the Committee on Insurance.

By Representatives Davis, Aldridge, Arnold, Baker, Barbee, Beall, Berry, Bonner, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Creech, Culp, Daughtry, Decker, Dedmon, Eddins, Fox, Gardner, Goodwin, Grady, Gulley, Hall, Hardy, Howard, Ives, Justus, Kinney, Kiser, McMahan, Miner, Moore, Morris, Preston, Rayfield, Reynolds, Russell, Sexton, Starnes, Tallent, Tolson, Wainwright, Warwick, Watson, Wilkins, C. Wilson, and G. Wilson:

H.B. 869, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SPEEDING TO ELUDE ARREST AND TO PROVIDE THAT THERE IS A PRESUMPTION THAT A PERSON IS ELUDING ARREST IF THE PERSON CONTINUES THE SPEEDING VIOLATION FOR A DISTANCE THAT IS A QUARTER OF A MILE OR MORE, is referred to the Committee on Judiciary I.

By Representatives Allred, Capps, and Hardy:

H.B. 870, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE, CASWELL, AND ROCKINGHAM COUNTIES TO ARRANGE FOR THE WORKING OF NONVIOLENT MISDEMEANANTS UNDER THE SUPERVISION OF EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT OR EMPLOYEES OF A NONPROFIT, CHARITABLE CORPORATION, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Judiciary I.

By Representatives Berry, Adams, Alexander, Arnold, Baddour, Buchanan, Cansler, Easterling, Goodwin, Hensley, Howard, Insko, Jeffus,

Luebke, McCrary, Moore, Mosley, Owens, Ramsey, Saunders, Smith, and G. Wilson:

H.B. 871, A BILL TO BE ENTITLED AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE, TO PERMIT EMPLOYERS SUBJECT TO THE STATE MINIMUM WAGE TO TAKE THE SAME TIP CREDIT AS FEDERALLY COVERED EMPLOYERS, AND TO EXEMPT COMPUTER PROFESSIONALS FROM MINIMUM WAGE AND OVERTIME PROVISIONS, is referred to the Committee on Commerce.

By Representatives Goodwin, Baddour, Daughtry, Fitch, Hardy, and Hensley:

H.B. 872, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS RULES OF CIVIL PROCEDURE, is referred to the Committee on Judiciary II.

By Representative R. Hunter:

H.B. 873, A BILL TO BE ENTITLED AN ACT TO RAISE THE AGE OF UNDISCIPLINED JUVENILES, is referred to the Committee on Judiciary I.

By Representatives Luebke and Mosley:

H.B. 874, A BILL TO BE ENTITLED AN ACT TO ALLOW DURHAM COUNTY TO ADOPT A FAIR HOUSING ORDINANCE, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Judiciary I.

By Representative Warwick:

H.B. 875, A BILL TO BE ENTITLED AN ACT RELATING TO PENDER COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

H.B. 876, A BILL TO BE ENTITLED AN ACT RELATING TO SAMPSON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

H.B. 877, A BILL TO BE ENTITLED AN ACT TO ADD, FOR THE TOWN OF KURE BEACH ONLY, EROSION CONTROL MEASURES TO THE LIST OF PUBLIC ENTERPRISES THAT CITIES HAVE FULL AUTHORITY TO PROTECT AND REGULATE, is referred to the Committee on Local and Regional Government I.

By Representatives McComas, Bonner, Davis, Goodwin, Hall, Hill, Hurley, Kinney, McAllister, Morris, Nye, Redwine, Smith, Warner, Warwick, Watson, Wright, and Yongue:

H.B. 878, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SOUTHEASTERN NORTH CAROLINA REGIONAL ECONOMIC DEVELOPMENT COMMISSION, is referred to the Committee on Appropriations.

By Representatives Miller, Capps, and Mosley:

H.B. 879, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN DECISIONS OF THE DURHAM COUNTY BOARD OF ADJUSTMENT TO BE MADE BY THREE-FIFTHS VOTE RATHER THAN FOUR-FIFTHS, is referred to the Committee on Local and Regional Government I.

By Representatives Miller, Capps, Goodwin, Jeffus, and Mosley:

H.B. 880, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW EXHIBIT AT THE NORTH CAROLINA MUSEUM OF LIFE AND SCIENCE, is referred to the Committee on Appropriations.

By Representatives Miller, Capps, and Mosley:

H.B. 881, A BILL TO BE ENTITLED AN ACT TO AMEND THE DURHAM CITY CHARTER TO PERMIT THE APPOINTMENT OF A BOARD OF ADJUSTMENT WITH MORE THAN FIVE MEMBERS, is referred to the Committee on Ways and Means.

By Representative Boyd-McIntyre:

H.B. 882, A BILL TO BE ENTITLED AN ACT RELATING TO GUILFORD COUNTY AND THE MUNICIPALITIES IN THAT COUNTY,

is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Boyd-McIntyre, Adams, Bonner, Culp, Earle, H. Hunter, Jarrell, Jeffus, Kinney, McAllister, and Womble:

H.B. 883, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING, is referred to the Committee on Appropriations.

By Representative Boyd-McIntyre:

H.B. 884, A BILL TO BE ENTITLED AN ACT RELATING TO GUILFORD COUNTY AND THE MUNICIPALITIES IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred and Reynolds (Co-Sponsors):

H.B. 885, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ALAMANCE COUNTY SCHOOL ADMINISTRATIVE UNIT TO PICK UP AND DISCHARGE PUPILS AT DAY CARE, is referred to the Committee on Ways and Means.

By Representative Hensley (by request):

H.B. 886, A BILL TO BE ENTITLED AN ACT CONCERNING TRANSPORTATION IMPACT FEES BY THE TOWN OF GARNER, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representatives Miner and Mosley:

H.B. 887, A BILL TO BE ENTITLED AN ACT TO PERMIT GROWERS OF FRUIT AND VEGETABLE CROPS IN A MUNICIPALITY'S EXTRATERRITORIAL JURISDICTION WHO SELL THEIR PRODUCE AT ROADSIDE STANDS OR HAVE THE PURCHASER PICK THE CROP ADVERTISE THEIR PRODUCE THROUGH THE USE OF OUTDOOR ADVERTISING, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Transportation.

By Representative Miner:

H.B. 888, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF FUQUAY-VARINA CONCERNING AUTHORITY TO ESTABLISH FACILITY FEES, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Miner:

H.B. 889, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miner:

H.B. 890, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Mitchell, Cole, Creech, Hardy, McComas, McMahan, Miner, Morris, Nichols, Owens, Weatherly, and Wilkins:

H.B. 891, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EMPLOYER AND ITS REPRESENTATIVES TO CONTACT AN EMPLOYEE'S TREATING PHYSICIAN AS NECESSARY TO EXERCISE THE EMPLOYER'S RIGHT TO DIRECT MEDICAL TREATMENT AND TO OBTAIN INFORMATION REGARDING MEDICAL TREATMENT, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary I.

By Representative Hardy:

H.B. 892, A BILL TO BE ENTITLED AN ACT TO GIVE THE VOTERS OF BEAUFORT COUNTY THE SAME RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY COUNCIL, is referred to the Committee on Ways and Means.

By Representatives R. Hunter and Church (Co-Sponsors):

H.B. 893, A BILL TO BE ENTITLED AN ACT TO ENABLE BURKE AND MCDOWELL COUNTIES TO ESTABLISH AN INDUSTRIAL

AIRPARK AUTHORITY, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representative Sexton:

H.B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND COUNCIL OF THE TOWN OF STONEVILLE, is referred to the Committee on Local and Regional Government II.

By Representatives Miner and Mosley:

H.B. 895, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWNS OF APEX, FUQUAY-VARINA, HOLLY SPRINGS, AND MORRISVILLE TO IMPOSE TRANSPORTATION IMPACT FEES, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 151, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTY OF AN OWNER, OPERATOR, OR OTHER RESPONSIBLE PARTY OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE TO NOTIFY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OF THE EXISTENCE OF THE SITE, TO REQUIRE OWNERS, OPERATORS, AND OTHER RESPONSIBLE PARTIES TO FURNISH INFORMATION REGARDING THE SITE, AND TO SIMPLIFY THE INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE INVENTORY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 208,** A BILL TO BE ENTITLED AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Environment.

Committee Substitute for **S.B. 370,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR THE ENFORCEMENT OF ARBITRATION AWARDS PURSUANT TO THE ACT ENTERED OUTSIDE NORTH CAROLINA AND TO GIVE A PARTY THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT A PROCEEDING PURSUANT TO THE ACT, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 393,** A BILL TO BE ENTITLED AN ACT TO MANDATE THE REVOCATION OF A PERSON'S DRIVERS LICENSE OR LIMITED DRIVING PRIVILEGE FOR WILLFUL FAILURE TO COMPLETE COURT-ORDERED COMMUNITY SERVICE AND TO ELIMINATE THE REQUIREMENT FOR JUDICIAL INVOLVEMENT IN THE APPOINTMENT OF COMMUNITY SERVICE COORDINATORS, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 418,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF ADMINISTRATION TO SET BUSINESS SIZE STANDARDS AND APPLY THEM TO THE PROCUREMENT PROCEDURES TO PROMOTE INCREASED PROCUREMENTS FROM SMALL AND MEDIUM-SIZED BUSINESSES, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

On motion of Representation Morgan and without objection, Rule 5(10) is suspended and **H.J.R. 398,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BASIL DUKE BARR, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 545, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 101.

Voting in the negative: Representatives Baker, Berry, and Creech - 3.

Excused absences: Representatives Allred, Barbee, Blue, Crawford, Ellis, Gray, Luebke, Sherrill, and Thompson - 9.

BILL TEMPORARILY DISPLACED

On motion of Representative Daughtry and without objection, **H.B. 387,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is temporarily displaced.

CALENDAR (continued)

Committee Substitute for **H.B. 629,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY AND TO MODIFY THE LAW LIMITING THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 496, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 508, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT ON THE UPPER CATAWBA RIVER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Fox and without objection, **H.B. 532,** A BILL TO BE ENTITLED AN ACT TO DELETE CERTAIN OBSOLETE PROVISIONS AND MAKE CERTAIN TECHNICAL AMENDMENTS IN THE CHARTER OF THE CITY OF HENDERSON AND TO AUTHORIZE ENTRY INTO AGREEMENTS, is withdrawn from the Calendar and placed on the Calendar of April 10.

CALENDAR (continued)

H.B. 516, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN COLUMBUS COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 548, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 589,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW

AND ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 596, A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 277,** A BILL TO BE ENTITLED AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF ELECTIONS.

Representative Buchanan offers Amendment No. 1 which is adopted by electronic vote (102-0).

Representative Allred requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (103-0).

The bill, as amended, passes its third reading, by electronic vote (101-5), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 231,** A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (80-30).

The bill passes its second reading by electronic vote (76-33).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

H.B. 160, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS, passes its second reading by electronic vote (104-5).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

INTRODUCTION OF PAGES

Pages for the week of April 7 are introduced to the membership. They are: Christopher Lee Colavito of Johnston; Elizabeth Ashley Davidson of Henderson; Leanna Gwen Derenge of Union; Holly Gayle Dixon of Mecklenburg; Brittney Elizabeth Forrister of Cherokee; Robert Wesley Harris of Granville; William Lawrence Harris of Robeson; Wesley Aaron Hendricks of Mitchell; Julie Elaine Hirshburg of Henderson; Valerie Gwyn Jackson of Sampson; Jonathan William Madison of Iredell; Angela Marie Queen of Gaston; Seth Raymond Sutton of Rowan; Rebekah Ruth Thompson of Cherokee; Courtney Shantel Vinson of Wake; Phillip L. Washington of Robeson; and Jessica Brooke Yonce of Cherokee.

On motion of Representative Bowie, seconded by Representative Mercer, the House adjourns at 7:20 p.m. to reconvene April 8 at 2:00 p.m.

FORTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 8, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, Raleigh, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 7 has been examined

and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-0).

Leaves of absence are granted Representatives Crawford and Hensley for today. Representatives Barbee and Blue are excused for a portion of the session.

ENROLLED BILL

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 398, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BASIL DUKE BARR, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 5)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 260, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONSERVATION EASEMENTS PROGRAM THAT USES CONSERVATION TAX CREDITS FOR THE PROTECTION OF NATURAL RESOURCES AND THAT FURTHERS APPROPRIATE PUBLIC USE OF NATURAL RESOURCES, TO CREATE THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT COOPERATIVE CONSERVATION EFFORTS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 75, A BILL TO BE ENTITLED AN ACT CODIFYING THE METHOD OF ELECTING THE PERSON COUNTY BOARD OF EDUCATION AS ORDERED BY THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 9.

H.B. 100, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF MEMBERS OF THE HERTFORD COUNTY BOARD OF EDUCATION IN NOVEMBER OF EVEN-NUMBERED YEARS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 9.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM HIGHER EDUCATION ADMISSION REQUIREMENTS FOR NONPUBLIC SCHOOL STUDENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Russell and G. Wilson, Co-Chairs, for the Permanent Subcommittee on Capital and Budget of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

S.B. 286, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Standing Committee on Appropriations, refer **H.B. 183,** A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A

DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, to the Permanent Subcommittee on Justice and Public Safety.

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD;

H.B. 99, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION;

H.B. 283, A BILL TO BE ENTITLED AN ACT TO ALLOW PERQUIMANS COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION;

H.B. 411, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY;

H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY;

H.B. 549, A BILL TO BE ENTITLED AN ACT TO EXCHANGE TRACTS OF LAND BETWEEN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND THE TOWN OF BILTMORE FOREST; and

H.B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON'S MILLS TO DESCRIBE THE TOWN'S BOUNDARIES.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Gardner and Watson:

H.B. 896, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF/CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES, is referred to the Committee on Human Resources.

By Representatives McComas and Watson:

H.B. 897, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS PERTAINING TO THE NUMBER OF MEMBERS OF ADVISORY COMMITTEES OF NURSING HOMES AND REST HOMES, is referred to the Committee on Human Resources.

By Representative Daughtry:

H.B. 898, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW AND THE OPEN MEETINGS LAW TO CLARIFY PROVISIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Howard and Watson:

H.B. 899, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR DISCLOSURES UPON THE SALE OF RESIDENTIAL PROPERTIES, is referred to the Committee on Commerce.

By Representatives Watson, Hill, and Nichols:

H.B. 900, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE WATER QUALITY OF THE SURFACE WATERS OF THIS STATE BY FURTHER LIMITING THE AMOUNT OF NITROGEN THAT CERTAIN LARGE FACILITIES DISCHARGE TO NUTRIENT SENSITIVE WATERS WHERE NITROGEN IS A NUTRIENT OF CONCERN, TO AUTHORIZE THE USE OF UP TO TWENTY-FIVE PERCENT OF THE FUNDS IN THE CLEAN WATER MANAGEMENT TRUST FUND FOR A PORTION OF THE COSTS TO LOCAL GOVERNMENTS OF MODIFYING EXISTING FACILITIES TO SATISFY THIS STRICTER LIMIT, AND TO AUTHORIZE THE USE OF THE CLEAN WATER MANAGEMENT FUND FOR LOANS, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, is returned for concurrence in Senate amendment and placed on the Calendar of April 9.

Committee Substitute for **S.B. 207,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRIMINAL HISTORY RECORD CHECKS LAW TO MAKE CLARIFYING CHANGES AND TO REQUIRE A CRIMINAL BACKGROUND CHECK ON HOME HEALTH AGENCY APPLICANTS ONLY FOR CERTAIN POSITIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is read the first time and referred to the Committee on Finance.

S.B. 332, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COMPLETION OF FOSTER CARE TRAINING BY FOSTER PARENTS WITHIN SIX MONTHS AFTER A PROVISIONAL LICENSE IS ISSUED AND BY FOSTER CARE AND ADOPTION SOCIAL WORKERS WITHIN SIX MONTHS AFTER ASSUMING DSS DUTIES, is read the first time and referred to the Committee on Human Resources.

S.B. 363, A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LUMBERTON ECONOMIC DEVELOPMENT AND TOURIST DISTRICT AND TO AUTHORIZE THE ISSUANCE OF CERTAIN ABC PERMITS IN THIS TYPE OF DISTRICT, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 545, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Arnold, Baker, Berry, Creech, and Ellis - 5.

Excused absences: Representatives Barbee, Blue, Crawford, and Hensley - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 229, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VOTERS OF THE CITY OF FAYETTEVILLE TO RECALL THE MAYOR AND CITY COUNCIL, fails to pass its second reading by electronic vote (35-77).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 296, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MANNER OF ELECTION OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION.

Representative Saunders offers Amendment No. 1 which fails of adoption by electronic vote (55-57).

The bill passes its second reading by electronic vote (63-53).

Representative Cunningham objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

On motion of the Chair, Rule 5(10) is suspended and **S.B. 291,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is moved up on the Calendar.

Representative Creech offers Amendment No. 1.

On motion of Representative Wilkins and without objection, the bill with pending amendment is withdrawn from the Calendar and placed on the Calendar of April 9.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Wilkins and without objection, **H.B. 387,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is withdrawn from the Calendar and placed on the Calendar of April 9.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 59, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

Representative Grady offers Amendment No. 1, which would change the title upon adoption.

Amendment No. 1 is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Church, Clary, Cole, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representatives Capps and Davis - 2.

Excused absences: Representatives Barbee, Crawford, and Hensley - 3.

The Speaker rules the amendment to be material, thus constituting its first reading, and the bill remains on the Calendar.

Committee Substitute for **H.B. 588,** A BILL TO BE ENTITLED AN ACT TO ADD ALAMANCE, CASWELL, ORANGE, AND ROCKINGHAM COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, passes its second reading by electronic vote (111-1).

Representative Luebke objects to the third reading. The bill remains on the Consent Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 348,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CIDER AND VINEGAR MANUFACTURER PERMIT TO BE ISSUED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan,

Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Barbee, Crawford, and Hensley - 3.

SUSPENSION OF RULES

On motion of Representative Morgan, Rule 41(b) is suspended, by electronic vote (80-36), in order that Committee Substitute for **H.B. 588,** A BILL TO BE ENTITLED AN ACT TO ADD ALAMANCE, CASWELL, ORANGE, AND ROCKINGHAM COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, may have its third reading today.

The bill passes its third reading, by electronic vote (114-2), and is ordered sent to the Senate.

CALENDAR (continued)

Committee Substitute for **H.B. 231,** A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION, passes its third reading, by electronic vote (80-34), and is ordered sent to the Senate.

H.B. 160, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF

THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS.

Representative McComas offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its third reading, by electronic vote (113-1), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 71,** A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS, FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, AND TO MAKE TECHNICAL CORRECTIONS REGARDING THE REVIEW BY THE LOCAL GOVERNMENT COMMISSION OF CERTAIN LEASES, LEASE PURCHASE CONTRACTS, AND INSTALLMENT PURCHASE CONTRACTS.

On motion of Representative McMahan and without objection, the bill is postponed until April 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 406,** A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO ADOPT ORDINANCES THAT IMPOSE A CURFEW ON PERSONS UNDER THE AGE OF EIGHTEEN, passes its second reading, by electronic vote (77-33), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 114, A BILL TO BE ENTITLED AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES

COMMISSION, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 174, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO PERMIT AN ACTIVE SENTENCE TO BE IMPOSED FOR A CRIMINAL CONVICTION IF THE DEFENDANT SERVED TIME AWAITING TRIAL, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 407, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT.

Representative Baddour offers Amendment No. 1 which is adopted by electronic vote (112-1).

The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 463,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PERMISSIBLE WEIGHT OF AGRICULTURAL CROPS THAT MAY BE TRANSPORTED ON THE HIGHWAYS FROM THE FIELD TO LOCAL MARKETS.

Representative McComas requests that he be excused from voting on

this bill under Rule 24.1A, because he is a member of the industry affected, and this request is granted.

The bill passes its second reading, by electronic vote (104-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 195, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MAKE CLARIFYING CHANGES TO POST-RELEASE SUPERVISION, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 388, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ASSESSMENT OF INTANGIBLES TAX FROM TAXPAYERS WHO BENEFITED FROM THE TAXABLE PERCENTAGE DEDUCTION IN THE FORMER INTANGIBLES TAX STATUTE.

Representative Luebke offers Amendment No. 1.

Representative Redwine inquires of the Chair, if the amendment is material. The Speaker rules the amendment is not material.

Amendment No. 1 fails of adoption by electronic vote (24-85).

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 499, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT ORDINANCES RELATING TO THE PARKING OR STANDING OF MOTOR VEHICLES NEAR FIRE HYDRANTS AND FIRE STATIONS AND IN FIRE LANES, is read the first time and referred to the Committee on Local and Regional Government II.

On motion of Representative Gulley, seconded by Representative Kinney, the House adjourns at 4:37 p.m. to reconvene April 9 at 2:00 p.m.

FORTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 9, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Culp.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (108-0).

Leaves of absence are granted Representatives Barbee, Berry, Blue, Crawford, and Esposito for today. Representative Ives is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 527, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT

THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 628, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL INSTITUTIONS OF HIGHER EDUCATION THAT RECEIVE STATE FUNDS AND THEIR LAW SCHOOLS ALLOW MILITARY RECRUITING ON CAMPUS, with a favorable report as to the committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 10. The original bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 207, A BILL TO BE ENTITLED AN ACT TO REDUCE THE NUMBER OF POSITIONS IN THE DIVISION OF MOTOR VEHICLES ENFORCEMENT SECTION, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

H.B. 208, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE ONE-DOLLAR FEE FOR MAIL-IN VEHICLE REGISTRATION, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 94, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ANNEXATION LAWS, with a favorable report as to committee substitute

bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 227, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 151, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTY OF AN OWNER, OPERATOR, OR OTHER RESPONSIBLE PARTY OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE TO NOTIFY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OF THE EXISTENCE OF THE SITE, TO REQUIRE OWNERS, OPERATORS, AND OTHER RESPONSIBLE PARTIES TO FURNISH INFORMATION REGARDING THE SITE, AND TO SIMPLIFY THE INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE INVENTORY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Davis for the Permanent Subcommittee on Business and Labor:

H.B. 27, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE ESTABLISHMENT OF PYRAMID DISTRIBUTION PLANS, reported to the Standing Committee on Commerce, with a favorable recommendation.

H.B. 41, A BILL TO BE ENTITLED AN ACT TO CREATE A DOWNTOWN LOAN GUARANTEE FUND THAT WILL GUARANTEE TWENTY-FIVE PERCENT OF ELIGIBLE LOANS MADE

BY PARTICIPATING LENDING INSTITUTIONS FOR DOWN-TOWN DEVELOPMENT, reported to the Standing Committee on Commerce, with a favorable recommendation.

H.B. 499, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS, reported to the Standing Committee on Commerce, with a favorable recommendation and recommend that the bill be re-referred to the Committee on Judiciary I.

By Representative Allred for the Committee on Ways and Means:

H.B. 637, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 668, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO REQUIRE OWNERS OF RENTAL PROPERTY IN THE COUNTY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS IN HOUSING CODE CASES AND CASES INITIATED BY THE LOCAL BOARD OF HEALTH, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 670, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTIES OF HARNETT AND LEE AND THE MUNICIPALITIES LOCATED IN THOSE COUNTIES TO DONATE UNCLAIMED BICYCLES TO CHARITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 676, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF ROCKY MOUNT PROVISIONS OF A LOCAL ACT WHICH PROVIDES THAT SERVICE OF COMPLAINTS OR ORDERS ISSUED IN HOUSING CODE CASES IS SUFFICIENT WHERE THE COMPLAINTS OR ORDERS ARE SENT BY REGISTERED OR CERTIFIED MAIL IN CONJUNCTION WITH REGULAR MAIL AND THE REGISTERED OR CERTIFIED MAIL IS RETURNED, BUT THE REGULAR MAIL IS NOT RETURNED WITHIN TEN DAYS AFTER MAILING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 753, A BILL TO BE ENTITLED AN ACT TO MOVE A PARCEL OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ABERDEEN AND TO THE TOWN OF SOUTHERN PINES, AND TO ANNEX A PARCEL OF PROPERTY TO THE TOWN OF ABERDEEN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 865, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SNEADS FERRY, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 388, AN ACT TO PROHIBIT THE ASSESSMENT OF INTANGIBLES TAX FROM TAXPAYERS WHO BENEFITED FROM THE TAXABLE PERCENTAGE DEDUCTION IN THE FORMER INTANGIBLES TAX STATUTE.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Michaux, Adams, and Fitch:

H.B. 901, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morris, Adams, Alexander, Beall, Black, Bowie, Boyd-McIntyre, Clary, Daughtry, Davis, Esposito, Gardner, Gulley, Howard, Insko, Jeffus, Moore, Neely, Nichols, Rayfield, Sexton, Sherrill, Shubert, Starnes, Watson, and C. Wilson:

H.B. 902, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIMINAL OFFENSE OF STALKING, is referred to the Committee on Judiciary I.

By Representatives Mosley, Hardy, and Nichols:

H.B. 903, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SITING OF A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY THAT WOULD RESULT IN THE FACILITY'S BUFFER ZONE BEING LOCATED WITHIN THREE THOUSAND FEET OF A ONE HUNDRED-YEAR FLOODPLAIN OR A ONE HUNDRED-YEAR POOL ELEVATION, is referred to the Committee on Commerce and, if favorable, to the Committee on Environment.

By Representatives Mosley, Hardy, and Nichols:

H.B. 904, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE SHALL BE IMPOSED FOR A SECOND OR SUBSEQUENT CONVICTION OF A CLASS B1 FELONY IF THERE ARE NO MITIGATING CIRCUMSTANCES AND THE VICTIM IS THIRTEEN YEARS OF AGE OR YOUNGER, is referred to the Committee on Judiciary I.

By Representatives Grady, Adams, Aldridge, Alexander, Black, Bonner, Bowie, Braswell, Brawley, Brown, Buchanan, Church, Cole, Culp, Dedmon, Dickson, Dockham, Earle, Ellis, Fox, Gardner, Goodwin, Hardy, Hensley, Hiatt, Hill, H. Hunter, Hurley, Ives, Kinney, Kiser, McCombs, McCrary, McMahan, Mitchell, Moore, Morris, Mosley, Nichols, Nye, Oldham, Preston, Ramsey, Rayfield, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, and Wilkins:

H.B. 905, A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT COMMUNITY COLLEGES ACT, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 429,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAYNESVILLE TO

DONATE UNCLAIMED BICYCLES TO CHARITY, is returned for concurrence in Senate committee substitute and referred to the Committee on Local and Regional Government II.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 114,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION AND TO EXPEDITE THE PERMANENT CLOSURE OF LOW-RISK SITES UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP ACT OF 1988, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 378,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO CONTRACT FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 556,** A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT.

On motion of Representative Cansler, the House does not concur in the Senate amendment by electronic vote (78-31).

The Speaker appoints Representative Cansler, Chair; Representatives Neely and C. Wilson as conferees on the part of the House and the Senate is so notified by Special Message.

S.B. 59, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES AND ONSLOW COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Capps, Davis, and Ellis - 3.

Excused absences: Representatives Barbee, Berry, Blue, Crawford, Esposito, and Ives - 6.

H.B. 296, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MANNER OF ELECTION OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, passes its third reading, by electronic vote (57-55), and is ordered sent to the Senate.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Daughtry and without objection, **H.B. 387,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is withdrawn from the Calendar and placed on the Calendar of April 21.

On motion of Representative Daughtry and without objection, **S.B. 291,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN

ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, with pending Amendment No. 1, is withdrawn from the Calendar and placed on the Calendar of April 21.

CALENDAR (continued)

H.B. 75, A BILL TO BE ENTITLED AN ACT CODIFYING THE METHOD OF ELECTING THE PERSON COUNTY BOARD OF EDUCATION AS ORDERED BY THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 100, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF MEMBERS OF THE HERTFORD COUNTY BOARD OF EDUCATION IN NOVEMBER OF EVEN-NUMBERED YEARS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 348,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CIDER AND VINEGAR MANUFACTURER PERMIT TO BE ISSUED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Barbee, Berry, Blue, Crawford, Esposito, and Ives - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 98, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS.

Representative Nesbitt offers Amendment No. 1 which is adopted by electronic vote (58-51).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Beall, Dedmon, Hensley, Luebke, Ramsey, and Saunders - 6.

Excused absences: Representatives Barbee, Berry, Blue, Crawford, Esposito, and Ives - 6.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Gray and without objection, **S.B. 98,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS, is withdrawn from the Calendar and placed on the Calendar of April 14.

On motion of Representative Morgan and without objection, **H.B. 544,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PARTIAL PAYMENT OF EMPLOYEE CONTRIBUTIONS BY EMPLOYERS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is withdrawn from the Calendar and placed on the Calendar of April 16.

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 71,** A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS, FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, AND TO MAKE TECHNICAL CORRECTIONS REGARDING THE REVIEW BY THE LOCAL GOVERNMENT COMMISSION OF CERTAIN LEASES, LEASE PURCHASE CONTRACTS, AND INSTALLMENT PURCHASE CONTRACTS, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 474,** A BILL TO BE ENTITLED AN ACT TO CLARIFY WHICH PREINDUCEMENT EXPENDITURES MAY BE FINANCED WITH INDUSTRIAL REVENUE BONDS.

Representative R. Hunter requests that he be excused from voting on this bill under Rule 24.1A, because of a possible conflict of interest, and this request is granted.

The bill passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 239, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (111-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 484, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS.

On motion of Representative Miller, the bill is withdrawn from the Calendar, by electronic vote (110-2), and re-referred to the Committee on Judiciary I.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 126,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AN APPLICANT FOR A PERMIT UNDER THE STATUTES GOVERNING SOLID WASTE MANAGEMENT BE FINANCIALLY QUALIFIED AND DEMONSTRATE SUBSTANTIAL COMPLIANCE WITH ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 140, A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 150, A BILL TO BE ENTITLED AN ACT TO REDUCE THE FREQUENCY OF THE REPORT ON THE INACTIVE HAZARDOUS SUBSTANCE RESPONSE ACT OF 1987 FROM ANNUALLY TO EVERY TWO YEARS AND TO CLARIFY THE PUBLIC COMMENT PERIOD ON REMEDIAL ACTION PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 175,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO MAKE CERTAIN TECHNICAL, CLARIFYING, AND CONFORMING AMENDMENTS TO STRUCTURED SENTENCING, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 618, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR MISREPRESENTATION UNDER THE WORKERS' COMPENSATION ACT, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 187, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS ON ADMINISTRATIVE PROCEDURE, passes its second reading by electronic vote (114-0).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

MOTIONS TO RE-REFER BILLS

Representative Decker moves that **S.B. 363,** A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, be withdrawn from the Committee on Local and Regional Government II and re-referred to the Committee on Finance. Without objection, the motion carries.

Representative Gray, Co-Chair and Senior Ranking Member, for the Committee on Finance, refers **S.B. 363,** to the Permanent Subcommittee on Local, Regional, and State Revenues. The Chair notes the referral.

WITHDRAWAL OF BILL FROM COMMITTEE

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 247,** A BILL TO BE ENTITLED AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Insurance.

On motion of Representative Morgan, seconded by Representative Braswell, the House adjourns at 3:27 p.m. to reconvene April 10 at 1:00 p.m.

FORTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, April 10, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Capps.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-0).

Leaves of absence are granted Representatives Barbee, Berry, Culp, Gamble, and McAllister for today. Representative Miller is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 126, AN ACT TO REQUIRE THAT AN APPLICANT FOR A PERMIT UNDER THE STATUTES GOVERNING SOLID WASTE MANAGEMENT BE FINANCIALLY QUALIFIED AND DEMONSTRATE SUBSTANTIAL COMPLIANCE WITH ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

S.B. 140, AN ACT TO ADD TWO MEMBERS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

S.B. 150, AN ACT TO REDUCE THE FREQUENCY OF THE REPORT ON THE INACTIVE HAZARDOUS SUBSTANCE RESPONSE ACT OF 1987 FROM ANNUALLY TO EVERY TWO YEARS AND TO CLARIFY THE PUBLIC COMMENT PERIOD ON REMEDIAL ACTION PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

S.B. 260, AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 189, AN ACT TO AMEND THE NORTH CAROLINA DRINKING WATER ACT SO THAT IT CONFORMS WITH FEDERAL

LAW, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 248, AN ACT TO IMPLEMENT GRADUATED DRIVERS LICENSES AND MOTORCYCLE LEARNERS' PERMITS. (S.L. 1997-16)

S.B. 388, AN ACT TO PROHIBIT THE ASSESSMENT OF INTANGIBLES TAX FROM TAXPAYERS WHO BENEFITED FROM THE TAXABLE PERCENTAGE DEDUCTION IN THE FORMER INTANGIBLES TAX STATUTE. (S.L. 1997-17)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 533, A BILL TO BE ENTITLED AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE A REBUTTABLE PRESUMPTION THAT AN IN KIND DISTRIBUTION OF PROPERTY IS EQUITABLE, TO ENCOURAGE INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 535, A BILL TO BE ENTITLED AN ACT TO INCLUDE NONVESTED PENSION, RETIREMENT, AND OTHER DEFERRED COMPENSATION RIGHTS AS MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH

CAROLINA BAR ASSOCIATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 770, A BILL TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF TRAFFICKING IN MARIJUANA BY CHANGING THE AMOUNT OF MARIJUANA THAT WOULD BE CONSIDERED TRAFFICKING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

By Representative Allred for the Committee on Ways and Means:

H.B. 671, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SANFORD AND OTHER LAWS RELATING TO THE CITY BY DELETING THROUGHOUT THE WORDS "BOARD OF ALDERMEN" AND "ALDERMEN" AND SUBSTITUTING THE WORDS "CITY COUNCIL" AND "COUNCIL MEMBER", with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

H.B. 866, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS SUBJECT TO A REFERENDUM AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

H.B. 283, A BILL TO BE ENTITLED AN ACT TO ALLOW PERQUIMANS COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 411, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON'S MILLS TO DESCRIBE THE TOWN'S BOUNDARIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE EIGHTY-SECOND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 603, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HIGHLANDS TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 340, A BILL TO BE ENTITLED AN ACT PROVIDING THAT ROWAN COUNTY DOES NOT REQUIRE CONSENT PRIOR TO CERTAIN CONDEMNATIONS AND ACQUISITIONS BY THAT COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

H.B. 570, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN THEIR RESPECTIVE SPHERES OF INFLUENCE, with a favorable report.

On motion of the Chair, pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

H.B. 583, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF KINGS MOUNTAIN LOCAL ALCOHOLIC BEVERAGE CONTROL BOARD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 612, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIRECTOR OF TRANSPORTATION OF THE CITY OF CHARLOTTE TO SET SPEED LIMITS SPECIFIED IN G.S. 20-141, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

H.B. 623, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECALL ELECTIONS IN THE TOWN OF COOLEEMEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 633, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF HENDERSON AND CERTAIN MUNICIPALITIES TO DONATE UNCLAIMED BICYCLES TO CHARITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 634, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

H.B. 661, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 14. The original bill is placed on the Unfavorable Calendar.

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME OF ELECTION OF THE SURRY COUNTY BOARD OF

EDUCATION FROM THE PRIMARY TO NONPARTISAN AT THE TIME OF THE GENERAL ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 675, A BILL TO BE ENTITLED AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ROCKY MOUNT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 681, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 687, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR HENDERSON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 695, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 708, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 14.

H.B. 643, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Wainwright, Adams, Aldridge, Alexander, Allred, Baddour, Beall, Black, Bonner, Bowie, Braswell, Church, Cole, Culpepper, Cunningham, Davis, Dedmon, Dockham, Earle, Easterling, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Hardaway, Hensley, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCombs, McCrary, Mercer, Michaux, Mitchell, Moore, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Redwine, Rogers, Saunders, Smith, Sutton, Tolson, Warner, Warwick, Watson, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 906, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE PLACEMENT FOR ADOPTION OF SPECIAL NEEDS AND OTHER CHILDREN, is referred to the Committee on Appropriations.

By Representatives Baddour and Hackney (Co-Sponsors); Bonner, Boyd-McIntyre, Braswell, Dedmon, Easterling, Gamble, Goodwin, Hensley, R. Hunter, Hurley, Insko, Mercer, Moore, Morris, Mosley, Nichols, Russell, Saunders, Sutton, Tolson, Wainwright, Warwick, Watson, C. Wilson, and Womble:

H.B. 907, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT ACTIONS INVOLVING CERTAIN FAMILY ISSUES, is referred to the Committee on Judiciary II.

By Representatives Baddour and Russell (Co-Sponsors); Bowie, Easterling, Gardner, Jarrell, Jeffus, Mitchell, Mosley, Wainwright, and Watson:

H.B. 908, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RIGHTS OF A DECEDENT'S SPOUSE, is referred to the Committee on Judiciary II.

By Representatives Bowie, Adams, Aldridge, Baddour, Baker, Berry, Bonner, Braswell, Brown, Cansler, Clary, Creech, Culp, Daughtry, Davis,

Dedmon, Dickson, Earle, Easterling, Eddins, Goodwin, Gulley, Hensley, Hightower, Insko, Jarrell, Jeffus, Justus, Luebke, McAllister, McComas, McMahan, Michaux, Moore, Morris, Mosley, Neely, Nesbitt, Preston, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Wainwright, Warwick, Watson, Weatherly, and G. Wilson:

H.B. 909, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DOMESTIC VIOLENCE STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

H.B. 910, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE "TOUCHING THE LIVES OF FAMILIES" PROGRAM, is referred to the Committee on Appropriations.

By Representatives Jeffus, Adams, Aldridge, Baddour, Black, Bonner, Bowie, Boyd-McIntyre, Dedmon, Dickson, Earle, Easterling, Gamble, Gardner, Goodwin, R. Hunter, Insko, Jarrell, Kinney, Luebke, Moore, Morris, Mosley, Preston, Russell, Saunders, Smith, Wainwright, Warwick, and Watson:

H.B. 911, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SEXUAL ASSAULT PREVENTION AND PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Berry, Brawley, Buchanan, Kiser, Starnes, and Thompson:

H.B. 912, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF HICKORY FOR LIBRARY NEEDS, is referred to the Committee on Appropriations.

By Representatives Russell, Adams, Alexander, Bowie, Boyd-McIntyre, Earle, Easterling, Gardner, Jarrell, Luebke, Morris, Mosley, Smith, and Wainwright:

H.B. 913, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OSTEOPOROSIS PREVENTION TASK FORCE, AND TO APPROPRIATE FUNDS THEREFOR, is referred to the Committee on Appropriations.

By Representatives Watson, Adams, Church, Davis, Easterling,

Esposito, Gardner, Gulley, Hill, Howard, Insko, Jeffus, Luebke, Moore, Morris, Russell, Sexton, Sherrill, Shubert, Sutton, Wainwright, Warner, and C. Wilson:

H.B. 914, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICES PLANS, AND HMO PLANS TO PROVIDE COVERAGE FOR BONE MASS MEASUREMENT FOR THE DIAGNOSIS AND TREATMENT OF OSTEOPOROSIS, is referred to the Committee on Insurance and, if favorable, to the Committee on Appropriations.

By Representatives Mercer, Baddour, Moore, and Mosley:

H.B. 915, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FIREFIGHTERS WHO ENGAGE IN SOME FIRE INSPECTION ACTIVITIES AS A SECONDARY RESPONSIBILITY ARE NOT COVERED BY THE LAW PROHIBITING CONFLICTS OF INTEREST BY INSPECTION DEPARTMENTS, is referred to the Committee on Judiciary II.

By Representatives Hardaway, Bonner, Boyd-McIntyre, Braswell, Fitch, Gamble, Hensley, Hightower, Howard, H. Hunter, Kinney, Luebke, and Wainwright:

H.B. 916, A BILL TO BE ENTITLED AN ACT TO PROHIBIT FINANCIAL INSTITUTIONS FROM CHARGING CERTAIN FEES FOR THE USE OF AUTOMATED TELLER MACHINES, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Hackney, Culp, and Insko:

H.B. 917, A BILL TO BE ENTITLED AN ACT TO REIMBURSE CHATHAM COUNTY FOR ITS COSTS ASSOCIATED WITH SELECTING A SITE FOR A PROPOSED LOW-LEVEL RADIOACTIVE WASTE FACILITY, is referred to the Committee on Appropriations.

By Representatives Fox, Adams, Alexander, Allred, Baddour, Bonner, Cole, Culp, Earle, Gamble, Hardaway, Hightower, H. Hunter, Hurley, Kinney, McAllister, McCrary, Michaux, Miller, Mosley, Oldham, Owens, Preston, Tolson, Wainwright, Warner, Wilkins, Womble, and Wright:

H.B. 918, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL

PURPOSES AND INFRASTRUCTURE NEEDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wilkins, Crawford, Fox, Hardaway, Ives, Luebke, Mitchell, Ramsey, Smith, and G. Wilson:

H.B. 919, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AMOUNT OF MOTOR FUEL TAX PAID ON FUEL USED IN BOATS SHALL BE EARMARKED FOR USE FOR CONTROL OF AQUATIC WEEDS, RECREATIONAL PROJECTS, AND LAKE ADMINISTRATION BUILDINGS, is referred to the Committee on Finance.

By Representatives Decker and Luebke:

H.B. 920, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA POSTAL HISTORY COMMISSION, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Insko and Luebke:

H.B. 921, A BILL TO BE ENTITLED AN ACT TO DIRECT THE CHILD FATALITY TASK FORCE TO STUDY BICYCLE SAFETY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Hackney:

H.B. 922, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF CARRBORO TO ESTABLISH A MUSIC FESTIVAL, is referred to the Committee on Appropriations.

By Representatives Wainwright, Nichols, and Smith:

H.B. 923, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS WRITING HOMEOWNERS' INSURANCE TO OFFER COVERAGE WITHOUT SEPARATE DEDUCTIBLES FOR WINDSTORM AND HAIL, is referred to the Committee on Insurance.

By Representatives Wainwright and Watson:

H.B. 924, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO JONES COUNTY FOR CAPITAL IMPROVEMENTS TO

THE COUNTY'S CIVIC CENTER, is referred to the Committee on Appropriations.

By Representatives Reynolds, Neely, and Hackney (Co-Sponsors); Baddour, Luebke, and Mosley:

H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PRIVACY OF HEALTH INFORMATION, is referred to the Committee on Technology and, if favorable, to the Committee on Judiciary II.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
April 9, 1997

Mr. Speaker:

Pursuant to your message received Wednesday, April 9, 1997, that the House of Representatives fails to concur in Senate Amendment No. 1 to **H.B. 15,** A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, and requests conferees. The President Pro Tempore appoints:

Senator Kerr, Chairman
Senator Hoyle
Senator Carrington

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 295,** A BILL TO BE ENTITLED AN ACT TO EXEMPT MOST INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX, is returned for concurrence in Senate committee substitute, and placed on the Calendar of April 14.

CALENDAR

Action is taken on the following:

S.B. 59, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES AND ONSLOW COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gulley, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Barbee, Berry, Culp, Gamble, McAllister, and Miller - 6.

Committee Substitute for **H.B. 532,** A BILL TO BE ENTITLED AN ACT TO DELETE CERTAIN OBSOLETE PROVISIONS AND MAKE CERTAIN TECHNICAL AMENDMENTS IN THE CHARTER OF THE CITY OF HENDERSON AND TO AUTHORIZE ENTRY INTO AGREEMENTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS.

On motion of Representative Howard and without objection, the bill is postponed until April 15.

S.B. 187, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS ON ADMINISTRATIVE PROCEDURE, passes its third reading, by electronic vote (111-0), and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM HIGHER EDUCATION ADMISSION REQUIREMENTS FOR NONPUBLIC SCHOOL STUDENTS, passes its second reading, by electronic vote (111-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 286, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM.

Representative Russell calls the previous question on the passage of the bill and the call is sustained by electronic vote (83-29).

The bill passes its second reading by electronic vote (109-4).

Representative Howard objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 628,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL INSTITUTIONS OF HIGHER

EDUCATION THAT RECEIVE STATE FUNDS AND THEIR LAW SCHOOLS ALLOW MILITARY RECRUITING ON CAMPUS.

Representative Davis offers Amendment No. 1.

Representative Neely offers perfecting Amendment No. 2.

The Chair stops debate and attends to the following business.

SUBCOMMITTEE REFERRAL

Representative Dockham, Chair for the Standing Committee on Insurance, refers Committee Substitute for **S.B. 247,** A BILL TO BE ENTITLED AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS, to the Permanent Subcommittee on Health.

RE-REFERRAL

On motion of Representative Daughtry and without objection, **H.B. 902,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIMINAL OFFENSE OF STALKING, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Starnes, the House adjourns at 2:43 p.m. to reconvene Monday, April 14, 1997, at 7:00 p.m.

FORTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, April 14, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Insko.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 10 has been examined

and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-1).

Leaves of absence are granted Representatives Fitch, Hightower, Nesbitt, Redwine, Rogers, and Sutton for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 187, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS ON ADMINISTRATIVE PROCEDURE.

H.B. 266, AN ACT TO ALLOW PRIVATE PASSENGER AND PRIVATE PROPERTY-HAULING VEHICLES WEIGHING UP TO SIX THOUSAND POUNDS TO BE ISSUED "FIRST IN FLIGHT" PLATES AND TO CLARIFY THAT THE DIVISION OF MOTOR VEHICLES MAY ISSUE PERSONALIZED COMMERCIAL LICENSE PLATES.

H.B. 409, AN ACT CLARIFYING WHERE APPEALS FROM AGRICULTURAL EMPLOYERS WILL BE HEARD.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 8, AN ACT TO REPEAL RESTRICTIONS ON HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY.

H.B. 105, ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 262, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT

FOR PAYMENTS IN LIEU OF ANNEXATION, with a favorable report as to House committee substitute bill, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Justus and C. Wilson, Co-Chairs, for the Committee on Election Law and Campaign Reform:

S.B. 1, A BILL TO BE ENTITLED AN ACT TO REFORM THE CAMPAIGN LAWS OF NORTH CAROLINA, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 55,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL PURPLE HEART AWARD REGISTRATION PLATES SHALL BE ISSUED WITHOUT AN ADDITIONAL FEE, AND TO PROVIDE THAT SURVIVING SPOUSES OF PURPLE HEART PLATE HOLDERS MAY CONTINUE TO BE ISSUED THOSE PLATES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of April 15. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 115, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED

BY THE GENERAL STATUTES COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 147, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF DOG FIGHTING AND BAITING, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 15. The original bill is placed on the Unfavorable Calendar.

H.B. 182, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM PRIOR RECORD LEVEL CALCULATIONS CERTAIN PRIOR CONVICTIONS THAT ARE OVER TEN YEARS OLD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 15. The original bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 485, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 560, A BILL TO BE ENTITLED AN ACT DIRECTING THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR PARENTS WHO ARE PARTIES TO A CUSTODY OR VISITATION ACTION, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Brawley, Carpenter, Clary, Dockham, Eddins, Hurley, McAllister, McMahan, and Tallent:

H.B. 926, A BILL TO BE ENTITLED AN ACT PERTAINING TO PREFERRED PROVIDER CONTRACTS, is referred to the Committee on Insurance.

By Representatives Hardy, Baker, Brawley, Brown, Capps, Carpenter, Clary, Culp, Davis, Eddins, Gardner, Gulley, Hall, Hiatt, Justus, Kiser, Morris, Owens, Reynolds, Sexton, Starnes, and G. Wilson:

H.B. 927, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN DOG OWNERS TO ADMINISTER THE RABIES VACCINE TO THEIR OWN DOGS, is referred to the Committee on Judiciary I.

By Representatives Hardy, Aldridge, Allred, Baker, Barbee, Berry, Buchanan, Cansler, Capps, Carpenter, Culp, Davis, Dickson, Dockham, Eddins, Ellis, Gulley, Hall, Howard, Justus, Kiser, McComas, Miner, Morris, Nichols, Rayfield, Shubert, Starnes, Tallent, Watson, C. Wilson, and G. Wilson:

H.B. 928, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE A THREE-FIFTHS VOTE FOR THE GENERAL ASSEMBLY TO LEVY TAXES, is referred to the Committee on Finance.

By Representatives Morris, Adams, Alexander, Arnold, Baker, Bowie, Brawley, Cansler, Capps, Clary, Culp, Davis, Earle, Esposito, Gardner, Goodwin, Gulley, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Luebke, McAllister, Moore, Mosley, Neely, Russell, Sexton, Sherrill, Shubert, Warner, Watson, C. Wilson, and G. Wilson:

H.B. 929, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A PROTECTIVE ORDER; TO CLARIFY THE CIRCUMSTANCES

UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS; AND TO IMPOSE A CRIMINAL PENALTY FOR VIOLATION OF A PROTECTIVE ORDER, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

By Representatives Russell, Aldridge, Arnold, Berry, Cansler, Capps, Creech, Daughtry, Davis, Eddins, Esposito, Hardy, Hiatt, Holmes, Ives, McMahan, Moore, Morris, Nichols, Sexton, Thompson, and Watson:

H.B. 930, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, is referred to the Committee on Judiciary II.

By Representative Cansler:

H.B. 931, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHILD CARING INSTITUTION FUND, is referred to the Committee on Appropriations.

By Representatives Cansler, Gardner, Rayfield, Wainwright, and Watson:

H.B. 932, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FOR THE IMPROVED TREATMENT OF SCHIZOPHRENIA AND TO STUDY ITS EFFECTIVENESS, is referred to the Committee on Appropriations.

By Representatives Jarrell, Arnold, Black, Cole, Fitch, Fox, Gamble, Gardner, Howard, Miller, Neely, Nye, and Sherrill:

H.B. 933, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED UNDER THE PHARMACY PRACTICE ACT, is referred to the Committee on Insurance.

By Representatives Hill and McComas (Co-Sponsors); Aldridge, Alexander, Arnold, Bonner, Brown, Buchanan, Carpenter, Church, Cole, Culp, Culpepper, Dedmon, Eddins, Gulley, Holmes, Kiser, McCombs, McMahan, Mitchell, Mosley, Nye, Oldham, Owens, Redwine, Saunders, Sexton, Wainwright, Warner, Watson, Wilkins, Wright, and Yongue:

H.B. 934, A BILL TO BE ENTITLED AN ACT TO ADOPT AN OFFICIAL STATE FRUIT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Beall, Brown, and Ramsey:

H.B. 935, A BILL TO BE ENTITLED AN ACT TO RECOGNIZE LLAMAS AS LIVESTOCK ANIMALS, is referred to the Committee on Agriculture.

By Representatives Beall, Brown, and Ramsey:

H.B. 936, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES FOR LLAMA ACTIVITIES AND TO PROVIDE QUALIFIED IMMUNITY FROM LIABILITY, is referred to the Committee on Judiciary I.

By Representatives Tolson and Mercer:

H.B. 937, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF FOUNTAIN FOR CAPITAL IMPROVEMENTS TO ITS PUBLIC LIBRARY, is referred to the Committee on Appropriations.

By Representatives Preston, Bowie, Brawley, Brown, Buchanan, Cansler, Clary, Daughtry, Dickson, Goodwin, Grady, Gulley, Hardy, Hiatt, Justus, Kiser, McMahan, Mitchell, Moore, Morris, Neely, Rayfield, Reynolds, Sexton, Sherrill, Shubert, Smith, Starnes, Thompson, Wainwright, Weatherly, and G. Wilson:

H.B. 938, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO PROVIDE TRAINING TO STATE AND LOCAL LAW ENFORCEMENT OFFICERS IN THE IDENTIFICATION OF ACCIDENT-TRAUMA VICTIMS IN ORDER TO FACILITATE TIMELY IDENTIFICATION OF POTENTIAL ORGAN AND TISSUE DONORS AND TO PROVIDE FOR THE IDENTIFICATION OF ACCIDENT-TRAUMA VICTIMS, is referred to the Committee on Appropriations.

By Representatives Hurley, Aldridge, Beall, Culpepper, Dedmon, Easterling, Fox, Gamble, Grady, Gulley, Hall, Hightower, Jeffus, Luebke, McAllister, Mercer, Morris, Mosley, Oldham, Rogers, Saunders, Smith, Sutton, Tolson, Warner, and Womble:

H.B. 939, A BILL TO BE ENTITLED AN ACT TO EARMARK TEN PERCENT OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL

CRIMESTOPPERS PROGRAMS, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

By Representatives Redwine, Boyd-McIntyre, Clary, Decker, Dedmon, Hill, Howard, McComas, McMahan, Sherrill, Smith, Thompson, and Wainwright:

H.B. 940, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A REAL ESTATE BROKER AND REAL ESTATE SALESPERSON ARE NOT EMPLOYEES WITHIN THE MEANING OF THE WORKERS' COMPENSATION ACT, is referred to the Committee on Commerce and, if favorable, to the Committee on Insurance.

By Representatives Watson, Aldridge, Alexander, Beall, Black, Buchanan, Church, Crawford, Davis, Easterling, Fox, Gardner, Goodwin, Hill, Insko, Ives, Jeffus, Nye, Owens, Ramsey, Rayfield, Russell, Sexton, Wainwright, Wilkins, and Wright:

H.B. 941, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE THE INDEPENDENT LIVING REHABILITATION PROGRAM WITH THE RESOURCES NECESSARY FOR MORE SERVICE AND STAFF PARITY AMONG EXISTING OFFICES, TO SERVE CLIENTS MORE QUICKLY AND EFFECTIVELY AND REDUCE CLIENT BACKLOG, AND TO COMPLETE THE 1996 LEGISLATIVE INITIATIVE FOR INDEPENDENT LIVING, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 153,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE FOR FIVE MORE YEARS, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 157,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED

LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 254,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH INSURANCE AND EMPLOYMENT BASED ON GENETIC INFORMATION, is read the first time and referred to the Committee on Insurance.

Committee Substitute for **S.B. 389,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA TRIAD METROPOLITAN BASEBALL PARK DISTRICT, TO PROVIDE FOR A REFERENDUM ON BASEBALL PARK FINANCING ON A DATE DESIGNATED BY THE DISTRICT AND TO ALLOW BASEBALL PARK DISTRICTS TO ENTER INTO INSTALLMENT FINANCING AGREEMENTS, is read the first time and referred to the Committee on Finance.

S.B. 390, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

S.B. 428, A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER PLANNING COUNCIL, is read the first time and referred to the Committee on Ways and Means.

Committee Substitute for **S.B. 438,** A BILL TO BE ENTITLED AN ACT TO AMEND THE ENFORCEMENT PROCEDURES RELATED TO THE REGISTRATION OF SECURITIES AND TO INVESTMENT ADVISERS AND TO ESTABLISH THE CONFIDENTIALITY OF RECORDS RELATING TO CRIMINAL INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of April 14 are introduced to the membership. They are: Laura Rae Baker of Wilson; Chinaka Ann Barbour of Columbus;

Christopher R. Breedlove of Davidson; Reginald Colin Brown of Forsyth; LaTrina Shernette Burden of Hertford; Rebecca Jewell Crumpler of Columbus; Lateefah Deloatch of Hertford; Jennifer Kay Formyduval of Columbus; Miranda Freeman of Cabarrus; Rebecca Nell Groves of Wake; Kurt Robert Hartman, Jr., of Johnston; April Leigh Hewett of Columbus; Christina Rose Hewett of Brunswick; Elise Noelle Hewett of Columbus; Jennifer L. Hornback of Cabarrus; Laura Elizabeth Humphries of Person; David Elijah Levin of Johnston; Elisha Carol Savchak of Randolph; Emily Smott of Randolph; and Emily Elizabeth York of Wayne.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 295,** A BILL TO BE ENTITLED AN ACT TO EXEMPT MOST INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX.

On motion of Representative Cansler, the House concurs in the Senate committee substitute, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

Without objection, Rule 5(10) is suspended and Committee Substitute for **H.R. 21,** A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN SHORTRIDGE, FOUNDER OF THE CITY OF HAMLET, ON THE CITY'S ONE HUNDREDTH ANNIVERSARY, is moved up on today's Calendar.

The resolution is adopted, by electronic vote (113-0), and ordered printed.

Committee Substitute for **H.B. 628,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL INSTITUTIONS OF HIGHER EDUCATION THAT RECEIVE STATE FUNDS AND THEIR LAW SCHOOLS ALLOW MILITARY RECRUITING ON CAMPUS, is before the Body with perfecting Amendment No. 2 and Amendment No. 1 pending.

Perfecting Amendment No. 2 is adopted by electronic vote (93-19).

Amendment No. 1 is adopted by electronic vote (92-21).

The bill, as amended, passes its second reading, by electronic vote (94-19), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 295, AN ACT TO EXEMPT MOST INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 634,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 283, A BILL TO BE ENTITLED AN ACT TO ALLOW PERQUIMANS COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Baker, Hardy, and G. Wilson - 3.

Excused absences: Representatives Fitch, Hightower, Nesbitt, Redwine, Rogers, and Sutton - 6.

Committee Substitute for **H.B. 67,** A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Baker, Hardy, and G. Wilson - 3.

Excused absences: Representatives Fitch, Hightower, Nesbitt, Redwine, Rogers, and Sutton - 6.

H.B. 411, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell,

Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Baker, Hardy, and G. Wilson - 3.

Excused absences: Representatives Fitch, Hightower, Nesbitt, Redwine, Rogers, and Sutton - 6.

H.B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON'S MILLS TO DESCRIBE THE TOWN'S BOUNDARIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Baker, Hardy, and G. Wilson - 3.

Excused absences: Representatives Fitch, Hightower, Nesbitt, Redwine, Rogers, and Sutton - 6.

H.B. 603, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue,

Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Baker, Hardy, and G. Wilson - 3.

Excused absences: Representatives Fitch, Hightower, Nesbitt, Redwine, Rogers, and Sutton - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 668, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO REQUIRE OWNERS OF RENTAL PROPERTY IN THE COUNTY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS IN HOUSING CODE CASES AND CASES INITIATED BY THE LOCAL BOARD OF HEALTH, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 670, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTIES OF HARNETT AND LEE AND THE MUNICIPALITIES LOCATED IN THOSE COUNTIES TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 676, A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE CITY OF ROCKY MOUNT PROVISIONS OF A LOCAL ACT

WHICH PROVIDES THAT SERVICE OF COMPLAINTS OR ORDERS ISSUED IN HOUSING CODE CASES IS SUFFICIENT WHERE THE COMPLAINTS OR ORDERS ARE SENT BY REGISTERED OR CERTIFIED MAIL IN CONJUNCTION WITH REGULAR MAIL AND THE REGISTERED OR CERTIFIED MAIL IS RETURNED, BUT THE REGULAR MAIL IS NOT RETURNED WITHIN TEN DAYS AFTER MAILING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 671,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SANFORD AND OTHER LAWS RELATING TO THE CITY BY DELETING THROUGHOUT THE WORDS "BOARD OF ALDERMEN", "BOARD", AND "ALDERMAN" AND SUBSTITUTING, AS APPROPRIATE, THE WORDS "CITY COUNCIL" AND "COUNCIL MEMBER", passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 866,** A BILL TO BE ENTITLED AN ACT TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM; AND TO PROVIDE THAT FIVE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 340,** A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITY OF KANNAPOLIS MAY CONDEMN OR ACQUIRE PROPERTY IN ROWAN COUNTY WITHOUT THE CONSENT OF THE ROWAN COUNTY BOARD OF COMMISSIONERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 633, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF HENDERSON AND CERTAIN MUNICIPALITIES TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TIME OF ELECTION OF THE SURRY COUNTY BOARD OF EDUCATION FROM THE PRIMARY TO NONPARTISAN AT THE TIME OF THE GENERAL ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 675, A BILL TO BE ENTITLED AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ROCKY MOUNT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 687, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR HENDERSON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 708, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 612,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIRECTOR OF TRANSPORTATION OF THE

CITY OF CHARLOTTE TO SET SPEED LIMITS SPECIFIED IN G.S. 20-141, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 661,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 637, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY.

On motion of Representative Hall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 623, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECALL ELECTIONS IN THE TOWN OF COOLEEMEE, fails to pass its second reading by electronic vote (41-70).

S.B. 98, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS.

On motion of Representative McComas and without objection, consideration of the bill is postponed until May 6.

S.B. 286, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM.

On motion of Representative Russell and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations, Subcommittee on Education.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 770, A BILL TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF TRAFFICKING IN MARIJUANA BY CHANGING THE AMOUNT OF MARIJUANA THAT WOULD BE CONSIDERED TRAFFICKING, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 583, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF KINGS MOUNTAIN LOCAL ALCOHOLIC BEVERAGE CONTROL BOARD, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

APPOINTMENT OF SELECT COMMITTEE

The Chair appoints the following members to the Select Committee on Justice and the Future of the Courts to hear **H.B. 741,** A BILL TO BE ENTITLED AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF NORTH CAROLINA TO IMPROVE THE COURT SYSTEM BY IMPLEMENTING THE NEW COURT STRUCTURE RECOMMENDED BY THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA and **H.B. 742,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE STATE COURT SYSTEM BY IMPLEMENTING THE NEW COURT STRUCTURE RECOMMENDED BY THE COMMISSION FOR THE FUTURE OF JUSTICE AND THE COURTS IN NORTH CAROLINA, and report their recommendations to the Committee on Judiciary I.

Representative Daughtry, Chairman
Representative Neely
Representative Baddour
Representative Culpepper
Representative Thompson
Representative Hardy

Representative Justus
Representative Kiser
Representative Blue
Representative Creech

SUBCOMMITTEE REFERRAL

Representative Gray, Senior Ranking Member and Co-Chair for the Standing Committee on Finance, refers **H.B. 72,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, to the Permanent Subcommittee on Local, Regional, and State Revenues.

On motion of Representative Miner, seconded by Representative Goodwin, the House adjourns at 8:06 p.m. to reconvene April 15, at 2:00 p.m.

FORTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 15, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Joe Collins, Central United Methodist Church, Denton, North Carolina.

"Eternal and everlasting God, as the 1997 Session of the North Carolina House convenes, we give thanks for the great State of North Carolina and its people. From Cherokee County to Currituck County, from Caswell County to Columbus County, and all 100 counties in between, we are truly blessed with a land of beauty and charm. From the Appalachian hills and its hamlets, to the Barrier Islands of the Outer Banks, the majesty of God's creation abounds. Where the Wright Brothers learned to fly, and the Cherokee made the mountains their home. We are a state made up of small farms and furniture plants, textile mills and tobacco barns, growing cities and picturesque seaport towns. We give thanks for our rich heritage, and seek Your direction as we move into the future. The pride of our State is our people - 7½ million - Black and White, Hispanic and Indian, who call

themselves North Carolinians. We are a people who live and work and worship in the knowledge that God is sovereign. And, we give thanks that You are loving and just. As the 1997 Session convenes, we pray Your blessings upon our elected representatives. Lead them as they work together to improve our State, and may they never forget that it is the people of North Carolina in which they represent.

"We close this prayer asking forgiveness of our sins, and the blessing of Your spirit for guidance and leadership. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-0).

Leaves of absence are granted Representatives Fitch and Sutton for today.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 70, AN ACT TO REPEAL OBSOLETE OR REDUNDANT SCHOOL LAWS, TO TRANSFER THE STATUTES THAT ESTABLISH THE STATE SCHOOLS FOR HEARING- AND SIGHT-IMPAIRED STUDENTS FROM CHAPTER 115C TO CHAPTER 143B OF THE GENERAL STATUTES, TO STREAMLINE THE REPORTS OF THE STATE BOARD OF EDUCATION TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES. (S.L. 1997-18)

S.B. 95, AN ACT TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE DECEMBER 31, 1996. (S.L. 1997-19)

H.B. 78, AN ACT TO CLARIFY WHO IS EXEMPT FROM THE PUBLIC SCHOOL ADMINISTRATOR EXAM. (S.L. 1997-20)

H.B. 8, AN ACT TO REPEAL RESTRICTIONS ON HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY. (S.L. 1997-21)

H.B. 105, AN ACT TO ENABLE THE COUNTY OF JACKSON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY. (S.L. 1997-22)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Weatherly for the Committee on State Government:

H.B. 315, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR THE OPEN, FAIR, AND NONPOLITICAL SELECTION OF THE MOST QUALIFIED PERSONS FOR STATE GOVERNMENT EMPLOYMENT BY LIMITING POLITICAL HIRINGS, TO PROVIDE FOR BROADER PROTECTIONS FOR STATE EMPLOYEES REPORTING MISMANAGEMENT AND IMPROPER GOVERNMENT ACTIVITIES, AND TO PROVIDE FOR THE REPORTING OF CERTAIN HIRINGS AND OTHER MATTERS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

H.B. 460, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO DESIGNATE WHO HAS THE DUTY TO ESTABLISH AND REVISE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 293, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERMAJORITY OF THE DURHAM CITY COUNCIL TO APPROVE A SPECIFIC ANNEXATION IF A SUFFICIENT PROTEST PETITION IS SUBMITTED, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 294, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN PARKWOOD IN DURHAM COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 314, A BILL TO BE ENTITLED AN ACT ABOLISHING THE VACANT OFFICE OF CORONER IN ROBESON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 16.

By Representative Neely for the Committee on Judiciary II:

H.B. 427, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR CERTAIN ASSAULTS ON A PROBATION OFFICER, PAROLE OFFICER, OR STATE OR COUNTY CORRECTIONS EMPLOYEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 16.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 469, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LATE PAYMENT FEE AND TO CREATE A REINSTATEMENT FEE FOR PERMITS SUSPENDED FOR FAILURE TO PAY PERMIT FEES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 564, A BILL TO BE ENTITLED AN ACT TO ALLOW DENTAL HYGIENISTS TO PERFORM ACTS WITHOUT THE DIRECT SUPERVISION OF A LICENSED DENTIST AND TO ALLOW DENTISTS TO EMPLOY MORE THAN TWO DENTAL HYGIENISTS AT ONE

TIME, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 16. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Starnes, Hardy, and Wood:

H.B. 942, A BILL TO BE ENTITLED AN ACT TO ALLOW A STATE INCOME TAX DEDUCTION FOR TUITION OF THE TAXPAYER OR THE TAXPAYER'S DEPENDENTS TO ATTEND A NORTH CAROLINA ELEMENTARY OR SECONDARY EDUCATIONAL INSTITUTION, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Clary and Easterling (Co-Sponsors); Adams, Alexander, Baddour, Black, Blue, Cole, Cunningham, Earle, Fitch, Goodwin, Gulley, Hackney, Hurley, Insko, Jarrell, Jeffus, Kiser, Luebke, Mercer, Moore, Mosley, Nesbitt, Oldham, Reynolds, Rogers, Saunders, Sherrill, Sutton, Tolson, Wainwright, Warner, and Wilkins:

H.B. 943, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF SOCIAL SERVICES, DEPARTMENT OF HUMAN RESOURCES, TO FIND SAFE, PERMANENT HOMES FOR ABUSED AND NEGLECTED CHILDREN, is referred to the Committee on Appropriations.

By Representative H. Hunter:

H.B. 944, A BILL TO BE ENTITLED AN ACT TO AMEND, FOR THE PURPOSE OF PROTECTING THE HEALTH, SAFETY, AND WELFARE OF COUNTY CITIZENS, THE ZONING LAWS IN ORDER TO CLARIFY THE AUTHORITY OF COUNTIES TO REGULATE SWINE OPERATIONS BY ORDINANCE AND TO IMPROVE THE SWINE FARM SITING ACT WITH RESPECT TO THE NOTICE REQUIREMENTS AND THE SITING LIMIT FROM AN OCCUPIED

RESIDENCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nesbitt, Bonner, and Goodwin:

H.B. 945, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PART-TIME BACCALAUREATE DEGREE STUDENTS ARE ELIGIBLE FOR NURSING SCHOLARSHIP LOANS, is referred to the Committee on Education.

By Representatives Howard, Dedmon, Goodwin, Hill, Redwine, Sexton, Smith, and Thompson:

H.B. 946, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA APPRAISERS ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives R. Hunter and Bonner:

H.B. 947, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MCSMILES PROGRAM, A MOBILE PRESCHOOL PROGRAM FOR PRESCHOOL-AGED CHILDREN AND THEIR PARENTS, is referred to the Committee on Appropriations.

By Representative Gardner:

H.B. 948, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF PHARMACY TO ESTABLISH A RECOVERY AND REHABILITATION PROGRAM FOR PHARMACISTS, is referred to the Committee on Human Resources.

By Representatives Gardner, McCombs, and Mitchell:

H.B. 949, A BILL TO BE ENTITLED AN ACT TO IMPROVE CHILD PROTECTION BY REQUIRING BETTER DISCLOSURE OF CHILD FATALITY RECORDS, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

By Representatives Gardner, Goodwin, and McCombs:

H.B. 950, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR

THE NORTH CAROLINA TRANSPORTATION MUSEUM LOCATED IN SPENCER, is referred to the Committee on Appropriations.

By Representatives Baker, Bowie, Carpenter, Clary, Culp, Culpepper, Dockham, Hiatt, Howard, H. Hunter, Kiser, McComas, McMahan, Mitchell, Morris, Redwine, Russell, Smith, Starnes, Tallent, Thompson, Weatherly, G. Wilson, and Wright:

H.B. 951, A BILL TO BE ENTITLED AN ACT TO REGULATE CHARITABLE BINGO, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives Starnes, Goodwin, Hardy, and Wood:

H.B. 952, A BILL TO BE ENTITLED AN ACT TO ALLOW A STATE INCOME TAX DEDUCTION FOR TUITION OF THE TAXPAYER OR THE TAXPAYER'S DEPENDENTS TO ATTEND A NORTH CAROLINA POSTSECONDARY EDUCATIONAL INSTITUTION, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Wainwright and Watson:

H.B. 953, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REMOVE HURRICANE DEBRIS FROM RIVERS AND OTHER PUBLIC-MAINTAINED DRAINAGE WAYS IN JONES COUNTY IN ORDER TO PROTECT PUBLIC HEALTH AND TO PREVENT FURTHER WATER QUALITY DEGRADATION, is referred to the Committee on Appropriations.

By Representative Culpepper:

H.B. 954, A BILL TO BE ENTITLED AN ACT TO AMEND EXISTING LAW PERTAINING TO SESSIONS OF THE SUPREME COURT, is referred to the Committee on Judiciary II.

By Representatives Baddour and Morris (Co-Sponsors):

H.B. 955, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Braswell, and Russell (Co-Sponsors); and Goodwin:

H.J.R. 956, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE CITY OF GOLDSBORO AND HONORING THE MEMORY OF MAJOR MATTHEW TILGHMAN GOLDSBOROUGH, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 143,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ANNUAL AUDITED REPORTS ARE TO BE SUBMITTED BY ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES, is returned for concurrence in Senate committee substitute and referred to the Committee on Human Resources.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 312,** A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

S.B. 346, A BILL TO BE ENTITLED AN ACT TO EXPAND THE AUTHORITY OF JUVENILE GUARDIANS AND TO ALLOW THE COURT TO APPOINT PERSONS OTHER THAN RELATIVES AS JUVENILE CARETAKERS OR GUARDIANS, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 383,** A BILL TO BE ENTITLED AN ACT TO TRANSFER HEALTH SERVICES TO THE DEPARTMENT OF HUMAN RESOURCES, TO CHANGE THE NAME OF THE DEPARTMENT OF HUMAN RESOURCES TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO CHANGE THE NAME OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND TO MAKE TECHNICAL AND CONFORMING STATUTORY CHANGES, is read the first time and referred to the Committee on Human Resources.

S.B. 425, A BILL TO BE ENTITLED AN ACT TO AMEND THE ARTICLE ON REFRIGERATION CONTRACTORS, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS OF SELECTING THE CHAIR OF THE VOCATIONAL REHABILITATION ADVISORY COUNCIL TO CONFORM WITH FEDERAL LAW AND TO PROVIDE THAT THE CHAIR'S TERM SHALL NOT EXCEED THREE YEARS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 595, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO LICENSE INSTEAD OF APPROVE PHYSICIAN ASSISTANTS, TO ISSUE A PHYSICIAN ASSISTANT LIMITED VOLUNTEER LICENSE, AND TO MAKE OTHER CHANGES IN THE STATUTES REGULATING PHYSICIAN ASSISTANTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 637, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIRECTOR OF TRANSPORTATION OF THE CITY OF CHARLOTTE TO SET CERTAIN SPEED LIMITS, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 666, A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 279 OF THE 1989 SESSION LAWS REGARDING THE AUTHORITY OF MUNICIPALITIES IN WAKE COUNTY TO CLOSE STREETS AND ALLEYS LOCATED WITHIN THEIR EXTRATERRITORIAL JURISDICTION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 698, A BILL TO BE ENTITLED AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

H.B. 283, A BILL TO BE ENTITLED AN ACT TO ALLOW PERQUIMANS COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS

COUNTY BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Fitch and Sutton - 2.

Committee Substitute for **H.B. 67,** A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner,

Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Fitch and Sutton - 2.

H.B. 411, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Fitch and Sutton - 2.

H.B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON'S MILLS TO DESCRIBE THE TOWN'S BOUNDARIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray,

Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Fitch and Sutton - 2.

H.B. 603, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Allred, Baker, Capps, Davis, Eddins, Hardy, Hiatt, Morris, Shubert, and G. Wilson - 10.

Excused absences: Representatives Fitch and Sutton - 2.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 178, AN ACT TO INCREASE FROM ONE YEAR TO TWO YEARS THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS.

CALENDAR (continued)

Committee Substitute for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS.

Representative Fox offers Amendment No. 2 which is adopted by electronic vote (113-3).

Representative Blue offers Amendment No. 3.

On motion of the Chair, the bill with pending Amendment No. 3 is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 260,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONSERVATION EASEMENTS PROGRAM THAT USES CONSERVATION TAX CREDITS FOR THE PROTECTION OF NATURAL RESOURCES AND THAT FURTHERS APPROPRIATE PUBLIC USE OF NATURAL RESOURCES, TO CREATE THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT COOPERATIVE CONSERVATION EFFORTS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin,

Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Fitch and Sutton - 2.

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE 82ND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representatives Creech and Hensley - 2.

Excused absences: Representatives Fitch and Sutton - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 227, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR

WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 55,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL PURPLE HEART AWARD REGISTRATION PLATES SHALL BE ISSUED WITHOUT AN ADDITIONAL FEE, TO PROVIDE THAT SURVIVING SPOUSES OF PURPLE HEART PLATEHOLDERS MAY CONTINUE TO BE ISSUED THOSE PLATES, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL MOTOR VEHICLE PLATE FOR RECIPIENTS OF THE SILVER STAR, passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 147,** A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF DOG FIGHTING AND BAITING.

Representative Kiser offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading by electronic vote (116-0).

Representative Allred objects to the third reading. The bill remains on the Calendar.

Representative Allred withdraws his objection and the bill is before the Body on its third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 182,** A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM PRIOR RECORD LEVEL CALCULATIONS CERTAIN PRIOR CONVICTIONS THAT ARE OVER TEN YEARS

OLD, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative Ellis and without objection, **S.B. 363,** A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Finance, Subcommittee on Local, Regional, and State Revenues.

On motion of Representative Morgan and without objection, **H.B. 117,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION ENERGY CONSERVATION COMMITTEE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, is before the Body with Amendment No. 3 pending.

On motion of Representative Howard, the bill with pending amendment is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

On motion of Representative Thompson, seconded by Representative Hardaway, the House adjourns at 3:25 p.m. to reconvene April 16 at 2:00 p.m.

FORTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 16, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Easterling.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 15 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-0).

Leaves of absence are granted Representatives Culpepper and Mosley for today. Representative Ellis is excused for a portion of the session.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 59, AN ACT TO ALLOW GATES AND ONSLOW COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, AND TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE

FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD, with a favorable report.

On motion of the Chair, pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

H.J.R. 664, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF RUSSELL ATKINSON SWINDELL, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 683, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DR. JOY JOSEPH JOHNSON, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report as to committee substitute joint resolution, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute joint resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

S.J.R. 107, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF WILLIAM R. PITTMAN MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

By Representatives Hill, Eddins, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 188, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 17. The original bill is placed on the Unfavorable Calendar.

H.B. 211, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS, AS RECOMMENDED BY THE

ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Davis for the Permanent Subcommittee on Business and Labor:

H.B. 49, A BILL TO BE ENTITLED AN ACT TO PROVIDE TRAINING FOR BUILDING CODE ENFORCEMENT OFFICIALS IN THE INSPECTION AND REVIEW OF EXISTING BUILDINGS AND HISTORIC STRUCTURES, reported to the Standing Committee on Commerce with a favorable recommendation.

By Representative Barbee for the Committee on Pensions and Retirement:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL RETIRED HIGH POINT FIREMEN TO RECEIVE PENSION BENEFITS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 17.

H.B. 642, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE RETIREMENT BENEFITS PAYABLE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Neely for the Committee on Judiciary II:

H.B. 333, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 432, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LESSONS LEARNED FROM HURRICANE FRAN WITH RESPECT TO THE MOBILIZATION OF THE NORTH CAROLINA NATIONAL GUARD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Brown for the Committee on Agriculture:

S.B. 172, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF HUNTING LICENSES FOR CERTAIN DISABLED HUNTERS WHO HAVE NOT COMPLIED WITH THE HUNTING SAFETY COURSE REQUIREMENT, with a favorable report as to House committee substitute bill, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

The House committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 836, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs, for report to be made directly to the floor of the House:

H.B. 72, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 549, A BILL TO BE ENTITLED AN ACT TO EXCHANGE TRACTS OF LAND BETWEEN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND THE TOWN OF BILTMORE FOREST, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 17.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Aldridge, Baddour, Braswell, Culpepper, Hardaway, Hardy, Mercer, Nichols, Preston, Rogers, Russell, Smith, Tolson, Wainwright, and Watson:

H.B. 957, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF THE INDUSTRIAL CONSTRUCTION BUILDING AT PITT COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representative Hightower:

H.B. 958, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONCEALED HANDGUN LAWS, is referred to the Committee on Judiciary I.

By Representatives McCombs, Allred, Hill, Kiser, Mitchell, and Owens:

H.B. 959, A BILL TO BE ENTITLED AN ACT TO REQUIRE CHARITABLE ORGANIZATIONS THAT SOLICIT FUNDS BY OFFERING PRODUCTS FOR SALE IN RECEPTACLES TO PLACE A DISCLOSURE LABEL ON THE RECEPTACLES, TO ESTABLISH CERTAIN PROHIBITED ACTS WITH RESPECT TO THIS TYPE OF SOLICITATION, AND TO ESTABLISH APPROPRIATE PENALTIES

FOR VIOLATIONS, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

By Representatives Mosley, Adams, Baddour, Boyd-McIntyre, R. Hunter, Mercer, and Smith:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO FUND A NEW VISITING ARTISTS PROGRAM, is referred to the Committee on Appropriations.

By Representatives Beall and Ramsey:

H.B. 961, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND AND UPGRADE THE COMMUNITY LINK PROGRAM TO PROVIDE ADDITIONAL EDUCATIONAL SERVICES TO WESTERN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Beall and Ramsey:

H.B. 962, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW JAIL IN SWAIN COUNTY, is referred to the Committee on Appropriations.

By Representatives Kinney, Adams, Bonner, Boyd-McIntyre, Braswell, Goodwin, Hardaway, Hurley, McAllister, Morris, Nye, Oldham, Wainwright, Warner, Warwick, Wright, and Yongue:

H.B. 963, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF A COMMUNITY FINE ARTS CENTER AT FAYETTEVILLE STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Howard, Aldridge, Allred, Arnold, Baker, Barbee, Berry, Black, Bowie, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Culp, Davis, Decker, Dockham, Earle, Easterling, Eddins, Esposito, Gamble, Gardner, Grady, Gulley, Hall, Hardy, Hiatt, Hill, Hurley, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mitchell, Morgan, Morris, Preston, Rayfield, Reynolds, Russell, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 964, A BILL TO BE ENTITLED AN ACT TO REVISE AND STRENGTHEN THE SYSTEM OF LEGISLATIVE ETHICS, is referred to the Committee on Ethics.

By Representative Smith:

H.B. 965, A BILL TO BE ENTITLED AN ACT RELATING TO MARINE FISHERIES AND COASTAL RESOURCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Buchanan and Church:

H.B. 966, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONS IN FLAG AND LIGHT COLORS FOR EXTENDED TRUCKLOADS, is referred to the Committee on Transportation.

By Representatives Buchanan and Church:

H.B. 967, A BILL TO BE ENTITLED AN ACT TO PROVIDE SELECTION OF EITHER OF THE TWO NEAREST ROUTES TO A NON-LIGHT-TRAFFIC ROAD, is referred to the Committee on Transportation.

By Representative Reynolds:

H.B. 968, A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE PROFESSION OF INDUSTRIAL HYGIENISTS, is referred to the Committee on Judiciary II.

By Representatives Reynolds and Allred:

H.B. 969, A BILL TO BE ENTITLED AN ACT TO ALLOW STUDENTS WHO ARE DOMICILED IN ONE LOCAL SCHOOL ADMINISTRATIVE UNIT TO ATTEND PUBLIC SCHOOLS IN ANOTHER LOCAL SCHOOL ADMINISTRATIVE UNIT FREE OF CHARGE, is referred to the Committee on Education.

By Representative Reynolds:

H.B. 970, A BILL TO BE ENTITLED AN ACT TO PROVIDE A POSITIVE ENVIRONMENT FOR ECONOMIC DEVELOPMENT BY DECLARING A MORATORIUM ON TAXATION OF INTERNET

SERVICES FOR AT LEAST TWO MORE YEARS, is referred to the Committee on Technology and, if favorable, to the Committee on Finance.

By Representatives Wainwright, and Watson:

H.B. 971, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW HEADQUARTERS BUILDING AT THE JONES COUNTY FORESTRY HEADQUARTERS, is referred to the Committee on Appropriations.

By Representatives Hardaway and Sutton:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY RECOGNIZE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE HALIWA TRIBE AS THE HALIWA SAPONI TRIBE, is referred to the Committee on State Government.

By Representatives Reynolds, Baker, Barbee, Bowie, Brawley, Buchanan, Capps, Clary, Cole, Culp, Dedmon, Eddins, Goodwin, Grady, Gulley, Hall, Hardy, Ives, Jeffus, Moore, Morris, Mosley, Rayfield, Sexton, Smith, Starnes, Tallent, and Thompson:

H.B. 973, A BILL TO BE ENTITLED AN ACT DIRECTING THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A PILOT PROGRAM THAT ALLOWS NEW MOTOR VEHICLE DEALERS TO ISSUE REGISTRATION PLATES FOR NEW MOTOR VEHICLES SOLD BY THEM, is referred to the Committee on Technology and, if favorable, to the Committee on Transportation.

By Representatives Wright, Hill, McComas, Wainwright, and Watson:

H.B. 974, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PHASING OUT OF ANAEROBIC LAGOONS AS THE PRIMARY MEANS OF TREATING OR DISPOSING OF ANIMAL WASTE, TO AUTHORIZE THE USE OF CLEAN WATER MANAGEMENT TRUST FUNDS FOR COST SHARE FUNDS TO ASSIST THE CONVERSION TO OTHER ANIMAL WASTE MANAGEMENT TECHNOLOGIES, AND TO MAKE OTHER CHANGES TO THE ANIMAL WASTE MANAGEMENT LAW TO BETTER PROTECT WATER QUALITY, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 168,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION AND CERTIFICATION FEES COLLECTED UNDER THE NURSING PRACTICE ACT, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 248,** A BILL TO BE ENTITLED AN ACT TO CREATE THE BROUGHTON HOSPITAL JOINT SECURITY FORCE AND TO AMEND THE LAW ESTABLISHING THE BLACK MOUNTAIN JOINT SECURITY FORCE, is read the first time and referred to the Committee on State Government.

Committee Substitute for **S.B. 266,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PRODUCTION AND SALE OF RED DEER, is read the first time and referred to the Committee on Agriculture.

Committee Substitute for **S.B. 424,** A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, AND WAKE FOREST, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 452,** A BILL TO BE ENTITLED AN ACT TO CLARIFY LOCAL GOVERNMENT AUTHORITY TO REGULATE THE LOCATION AND OPERATION OF SEXUALLY ORIENTED BUSINESSES, is read the first time and referred to the Committee on Judiciary II.

S.B. 500, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 597, A BILL TO BE ENTITLED AN ACT TO ALLOW PHYSICIANS PRACTICING PSYCHIATRY AND PSYCHOLOGISTS TO FORM PROFESSIONAL CORPORATIONS WITH LICENSED PROFESSIONAL COUNSELORS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Morgan sends forth the Conference Report on House Committee Substitute for **S.B. 38,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of April 17.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 587,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES, passes its second reading.

Representative Cunningham objects to the third reading. The bill remains on the Calendar.

H.B. 314, A BILL TO BE ENTITLED AN ACT ABOLISHING THE VACANT OFFICE OF CORONER IN ROBESON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 260,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONSERVATION EASEMENTS PROGRAM THAT USES CONSERVATION TAX CREDITS FOR THE PROTECTION OF NATURAL RESOURCES AND THAT FURTHERS APPROPRIATE PUBLIC USE OF NATURAL RESOURCES, TO CREATE THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT COOPERATIVE CONSERVATION EFFORTS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives

Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Culpepper and Mosley - 2.

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE 82ND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representatives Creech and Hensley - 2.

Excused absences: Representatives Culpepper and Mosley - 2.

H.B. 544, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PARTIAL PAYMENT OF EMPLOYEE CONTRIBUTIONS BY EMPLOYERS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

On motion of Representative Sherrill and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Pensions and Retirement.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 455,** A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES CONCERNING THE DETECTION, PREVENTION, CARE, AND TREATMENT OF GLAUCOMA, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 527,** A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE.

Representative Black requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading by electronic vote (92-22).

Representative Gray objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 533,** A BILL TO BE ENTITLED AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE

A REBUTTABLE PRESUMPTION THAT AN IN KIND DISTRIBUTION OF PROPERTY IS EQUITABLE, TO ENCOURAGE INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, passes its second reading by electronic vote (116-0).

Representative R. Hunter objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Gray withdraws his objection to the third reading of Committee Substitute for **H.B. 527,** A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE.

The bill passes its third reading by electronic vote (91-22) and is ordered sent to the Senate.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 535,** A BILL TO BE ENTITLED AN ACT TO INCLUDE NONVESTED PENSION, RETIREMENT, AND OTHER DEFERRED COMPENSATION RIGHTS AS MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 115,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING

CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of the Chair, the bill is temporarily displaced.

H.B. 427, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR CERTAIN ASSAULTS ON A PROBATION OFFICER, PAROLE OFFICER, OR STATE OR COUNTY CORRECTIONS EMPLOYEE, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 564,** A BILL TO BE ENTITLED AN ACT TO ALLOW DENTAL HYGIENISTS TO PERFORM ACTS WITHOUT THE DIRECT SUPERVISION OF A LICENSED DENTIST AND TO ALLOW DENTISTS TO EMPLOY MORE THAN TWO DENTAL HYGIENISTS AT ONE TIME.

Representative Aldridge moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Representative Aldridge calls the previous question on the motion and the call is sustained by electronic vote (84-26).

The motion to re-refer carries, by electronic vote (59-50), and the bill is re-referred to the Committee on Judiciary II.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative R. Hunter removes his objection to the third reading of Committee Substitute for **H.B. 533,** A BILL TO BE ENTITLED AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE A REBUTTABLE PRESUMPTION THAT AN IN KIND DISTRIBUTION OF PROPERTY IS EQUITABLE, TO ENCOURAGE INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION.

Representative R. Hunter offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its third reading, by electronic vote (107-1), and is ordered engrossed and sent to the Senate.

Representative Preston states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (108-0).

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
April 16, 1997

Mr. Speaker:

On House Committee Substitute for **S.B. 38,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 124, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1959 ANNEXATION LAW BY REQUIRING A REFERENDUM ON

ANNEXATION ON PETITION OF THE RESIDENTS BEING ANNEXED, AND TO ALLOW THE CITY TO PROVIDE FOR A REFERENDUM ON ANNEXATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 656, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF MOORESVILLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 712, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT ORDINANCES RELATING TO THE PARKING OR STANDING OF MOTOR VEHICLES NEAR FIRE HYDRANTS AND FIRE STATIONS AND IN FIRE LANES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 17.

H.B. 748, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 750, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 766, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM IN MECKLENBURG COUNTY,

with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

H.B. 777, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION OR INITIATE ANNEXATION BY RESOLUTION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF KINGS MOUNTAIN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 778, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO EXTEND ITS EXTRA-TERRITORIAL JURISDICTION TWO MILES FROM ITS CITY LIMITS, with a favorable report.

On motion of the Chair, pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

H.B. 786, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CONCORD TO ALLOW THE CITY MANAGER TO APPOINT THE FINANCE DIRECTOR AND THE CITY CLERK, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 17.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF NEWLAND IN AVERY COUNTY AND THE TOWN OF SPRUCE PINE IN MITCHELL COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 843, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 845, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN GASTON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 17.

H.B. 847, A BILL TO BE ENTITLED AN ACT AUTHORIZING MEMBERS OF THE PIEDMONT TRIAD REGIONAL WATER AUTHORITY TO ENTER INTO CERTAIN AGREEMENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 852, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INFORMATION IN THE STOKES COUNTY 911 DATABASE OBTAINED FROM A TELEPHONE COMPANY IS CONFIDENTIAL IF REQUIRED BY THE AGREEMENT OBTAINING THE INFORMATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 17. The original bill is placed on the Unfavorable Calendar.

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Cunningham withdraws his objection to the third reading of Committee Substitute for **H.B. 547,** A BILL TO BE ENTITLED AN ACT TO ENHANCE, ENSURE, AND PROTECT THE PUBLIC'S RIGHT TO CONTINUED ACCESS TO RENEWABLE RESOURCE ENERGY

GENERATED BY SMALL POWER PRODUCERS OF FIVE MEGAWATTS OR LESS BY PROVIDING THAT AVOIDED COSTS TO A UTILITY FROM THAT ENERGY BE CALCULATED BY THE RESIDUAL REVENUE METHOD.

Representative H. Hunter moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative H. Hunter calls the previous question on the motion and the call is sustained by electronic vote (90-18).

The motion to re-refer fails by electronic vote (43-67).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (79-31).

The bill passes its third reading, by electronic vote (75-34), and is ordered sent to the Senate.

SUBCOMMITTEE REFERRALS

Representative Gray, Senior Ranking Member and Co-Chair, for the Standing Committee on Finance, refers the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

Committee Substitute for **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ANNEXATION IN CALDWELL AND DAVIDSON COUNTIES BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THOSE COUNTIES BE APPROVED BY REFERENDUM;

H.B. 681, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO;

H.B. 643, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION;

H.B. 695, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN;

H.B. 753, A BILL TO BE ENTITLED AN ACT TO MOVE A PARCEL OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ABERDEEN AND TO THE TOWN OF SOUTHERN PINES,

AND TO ANNEX A PARCEL OF PROPERTY TO THE TOWN OF ABERDEEN; and

H.B. 865, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SNEADS FERRY, SUBJECT TO A REFERENDUM.

RE-REFERRALS

On motion of Representative Howard and without objection, **H.B. 152,** A BILL TO BE ENTITLED AN ACT TO IMPOSE A CRIMINAL PENALTY FOR THE WILLFUL FAILURE TO REPORT CHILD ABUSE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is withdrawn from the Committee on Human Resources and re-referred to the Committee on Judiciary II.

On motion of Representative Howard and without objection, **H.B. 929,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A PROTECTIVE ORDER; TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS; AND TO IMPOSE A CRIMINAL PENALTY FOR VIOLATION OF A PROTECTIVE ORDER, is withdrawn from the Committee on Human Resources and re-referred to the Committee on Judiciary II.

On motion of Representative Dockham and without objection, **H.B. 953,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REMOVE HURRICANE DEBRIS FROM RIVERS AND OTHER PUBLIC-MAINTAINED DRAINAGE WAYS IN JONES COUNTY IN ORDER TO PROTECT PUBLIC HEALTH AND TO PREVENT FURTHER WATER QUALITY DEGRADATION, is withdrawn from the Committee on Insurance and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Brown, the House adjourns at 5:15 p.m. to reconvene April 17 at 1:00 p.m.

FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 17, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Hardy.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-0).

Representatives Beall, Fox, Hardy, Miller, and Ramsey request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (101-0).

Leaves of absence are granted Representatives Alexander, Cansler, Gray, Hardaway, Nichols and Rogers for today.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 295, AN ACT TO EXEMPT MOST INTANGIBLE PERSONAL PROPERTY FROM PROPERTY TAX. (S.L. 1997-23)

S.B. 59, AN ACT TO ALLOW GATES AND ONSLOW COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION. (S.L. 1997-24)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

Representative Neely, for the Committee on Judiciary II, submits the following bills with a favorable report for introduction:

A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR COCK FIGHTING.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1048** and placed on the Calendar of April 21 for its first reading.

A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CRUELTY TO ANIMALS.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1049** and placed on the Calendar of April 21 for its first reading.

Representative Decker, for the Committee on Local and Regional Government II, submits the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES TO DONATE UNCLAIMED BICYCLES TO CHARITY.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1050** and placed on the Calendar of April 21 for its first reading.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 684, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ALCOHOLIC BEVERAGE CONTROL COMMISSION SHALL CERTIFY THE SPECIAL ALCOHOLIC BEVERAGE CONTROL DISTRICTS IN WHICH ELECTIONS MAY BE CONDUCTED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

H.B. 806, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CONOVER TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 351, A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 615, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF APPOINTING THE PUBLIC DEFENDER IN DISTRICT 16B, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 646, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO ESTABLISH A PRODUCTION MONEY SECURITY INTEREST IN CROPS THAT HAS PRIORITY OVER OTHER SECURITY INTERESTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL REGISTRATION PLATES FOR SHERIFFS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 904, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE SHALL BE IMPOSED FOR A SECOND OR SUBSEQUENT CONVICTION OF A CLASS B1 FELONY IF THERE ARE NO MITIGATING CIRCUMSTANCES AND THE VICTIM IS THIRTEEN YEARS OF AGE OR YOUNGER, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Allred for the Committee on Ways and Means:

H.B. 718, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES, AND TO ALLOW THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

H.B. 733, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, SHERIFF, OR COUNTY COMMISSIONER IN BEAUFORT COUNTY, IF THE VACATING MEMBER WAS ELECTED AS THE NOMINEE OF A POLITICAL PARTY, THE APPOINTING AUTHORITY SHALL APPOINT FROM A LIST RECOMMENDED BY THAT POLITICAL PARTY IF TWO OR MORE NAMES ARE SUBMITTED ON A TIMELY BASIS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

H.B. 740, A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

H.B. 798, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 21.

H.B. 579, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE INITIAL ELECTION OF THE ALAMANCE-BURLINGTON

BOARD OF EDUCATION SHALL BE HELD IN 1997, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 21. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer **H.B. 656,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NON-CONTIGUOUS AREAS BY THE TOWN OF MOORESVILLE, to the Permanent Subcommittee on Local, Regional, and State Revenues.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Reynolds for the Committee on Technology:

H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PRIVACY OF HEALTH INFORMATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Sexton, Aldridge, Baddour, Barbee, Beall, Berry, Black, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Clary, Davis, Dedmon, Earle, Eddins, Goodwin, Gulley, Hardy, Hightower, R. Hunter, Insko, Ives, Jarrell, Justus, McMahan, Mercer, Moore, Morris, Mosley, Nesbitt, Owens, Rayfield, Redwine, Reynolds, Tolson, Warner, Warwick, C. Wilson, G. Wilson, and Yongue:

H.B. 975, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF FUNDS BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FOR ANNUAL BONUSES FOR ENLISTED

MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD WHO HAVE COMPLETED THEIR INITIAL SIX YEAR TERM OF SERVICE, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Berry, Brawley, Buchanan, Howard, Kiser, Starnes, and Thompson:

H.B. 976, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A WELFARE REFORM PILOT PROGRAM IN CATAWBA COUNTY, is referred to the Committee on Welfare Reform and, if favorable, to the Committee on Appropriations.

By Representatives Jeffus, Adams, Boyd-McIntyre, Hiatt, Jarrell, Moore, Mosley, Wainwright, and Watson:

H.B. 977, A BILL TO BE ENTITLED AN ACT TO ALLOW PARENTS TO ELECT THE PARENTS WHO SERVE ON SCHOOL IMPROVEMENT TEAMS, is referred to the Committee on Education.

By Representatives Jeffus, Adams, Boyd-McIntyre, Braswell, Earle, Jarrell, Mosley, and Wainwright:

H.B. 978, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE PAYMENT OF PUBLIC SCHOOL EMPLOYEES ON SNOW DAYS THAT ARE NOT MADE UP, is referred to the Committee on Education.

By Representatives Jeffus, Adams, Baddour, Bonner, Boyd-McIntyre, Braswell, Dedmon, Earle, Goodwin, Hensley, Insko, Jarrell, Kinney, Luebke, Miller, Moore, Mosley, Nesbitt, Redwine, Saunders, Smith, Wainwright, Warwick, and Watson:

H.B. 979, A BILL TO BE ENTITLED AN ACT TO LINK PAY RAISES FOR SUBSTITUTE TEACHERS TO PAY RAISES FOR TEACHERS, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Hardy, Aldridge, Arnold, Baker, Berry, Brown, Cansler, Capps, Clary, Creech, Daughtry, Davis, Decker, Eddins, Hall, Hiatt, Hill, McComas, Miner, Mitchell, Morris, Nichols, Russell, Sherrill, Starnes, and G. Wilson:

H.B. 980, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CROP ALLOTMENTS SHALL NOT BE CONSIDERED IN APPRAISING LAND FOR AD VALOREM TAX PURPOSES, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Hardy, Arnold, Berry, Cansler, Capps, Carpenter, Clary, Creech, Culp, Davis, Eddins, Gulley, Hall, Ives, Nichols, Rayfield, Sexton, Shubert, and Starnes:

H.B. 981, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT THE STATE FROM DISCRIMINATING AGAINST, OR GRANTING PREFERENTIAL TREATMENT TO, ANY INDIVIDUAL OR GROUP ON THE BASIS OF RACE, GENDER, COLOR, ETHNICITY, OR NATIONAL ORIGIN IN THE OPERATION OF PUBLIC EMPLOYMENT, PUBLIC EDUCATION, OR PUBLIC CONTRACTING, is referred to the Committee on Judiciary I.

By Representatives Hardy, Davis, Gulley, Hall, Hill, Morris, and Starnes:

H.B. 982, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE HIGHWAY USE TAX ON MOTOR VEHICLES APPLIES ONLY WHEN THE CERTIFICATE OF TITLE IS ISSUED BECAUSE OF A SALE OF THE MOTOR VEHICLE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Bowie, Dockham, McMahan, Mosley, and Smith:

H.B. 983, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF FUNDS FROM THE SAVINGS RESERVE ACCOUNT TO ACQUIRE THE PRIVATE SHARES OF THE NORTH CAROLINA RAILROAD COMPANY AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Culp, Brown, Kiser, McCombs, Mitchell, Mosley, Weatherly, and G. Wilson:

H.B. 984, A BILL TO BE ENTITLED AN ACT TO PROVIDE HEALTH BENEFITS FOR SOIL AND WATER CONSERVATION DISTRICT SUPERVISORS AND THEIR ELIGIBLE DEPENDENTS WHO DO NOT HAVE ACCESS TO COMPREHENSIVE GROUP HEALTH BENEFITS BY ALLOWING VOLUNTARY PARTICIPATION IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Insurance.

By Representatives Insko, Alexander, Baddour, Bonner, Bowie, Boyd-McIntyre, Dedmon, Easterling, Goodwin, Ives, Mosley, Russell, Saunders, and Warwick:

H.B. 985, A BILL TO BE ENTITLED AN ACT TO DIRECT THE PUBLIC HEALTH STUDY COMMISSION TO STUDY CHILDREN'S ACCESS TO HEALTH CARE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Kiser, Aldridge, Alexander, Arnold, Baker, Black, Bonner, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Daughtry, Davis, Decker, Dedmon, Dickson, Easterling, Eddins, Ellis, Fox, Gardner, Goodwin, Grady, Gulley, Hall, Hardy, Hill, Hurley, Ives, Justus, McComas, McCombs, McCrary, McMahan, Mercer, Moore, Morris, Neely, Nichols, Nye, Owens, Preston, Rayfield, Redwine, Reynolds, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue:

H.B. 986, A BILL TO BE ENTITLED AN ACT TO RAISE THE REIMBURSEMENT TO COUNTIES FOR STATE INMATES HOUSED IN LOCAL CONFINEMENT FACILITIES, is referred to the Committee on Appropriations.

By Representatives Wilkins, Cansler, and Dickson (Co-Sponsors); Arnold, Baddour, Berry, Brown, Buchanan, Carpenter, Clary, Cole, Crawford, Goodwin, Hall, Hardaway, Hill, Hurley, Ives, Kiser, McCrary, McMahan, Miner, Mitchell, Redwine, Reynolds, Saunders, Sexton, Thompson, Tolson, Wainwright, and Wright:

H.B. 987, A BILL TO BE ENTITLED AN ACT TO STIMULATE A SUBSTANTIAL INCREASE IN VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA BY ALLOWING AN INSURANCE PREMIUMS TAX CREDIT FOR THESE INVESTMENTS, is referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

By Representatives Wilkins, Black, Crawford, and Sutton:

H.B. 988, A BILL TO BE ENTITLED AN ACT TO RESTORE OFFICIAL RECOGNITION TO THE INDIANS OF PERSON COUNTY AND TO PROVIDE THEM WITH REPRESENTATION ON THE COMMISSION OF INDIAN AFFAIRS, is referred to the Committee on State Government.

By Representative Rogers:

H.B. 989, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR THE SCHOOL ADMINISTRATOR'S EXAM, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Church and Buchanan:

H.B. 990, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION, is referred to the Committee on Commerce.

By Representatives Gray, Goodwin, and McComas:

H.B. 991, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR CAPITAL IMPROVEMENTS TO THE U.S.S. NORTH CAROLINA BATTLESHIP, is referred to the Committee on Appropriations.

By Representatives Gray, Goodwin, and Holmes:

H.B. 992, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Gray:

H.B. 993, A BILL TO BE ENTITLED AN ACT TO ALLOW CREATION OF ADDITIONAL REGIONAL TRANSPORTATION AUTHORITIES, is referred to the Committee on Transportation.

By Representative G. Wilson:

H.B. 994, A BILL TO BE ENTITLED AN ACT TO ALLOW PAY TELEPHONE PROVIDERS TO OBTAIN LINE ACCESS FROM COMPETITIVE LOCAL PROVIDERS OF TELEPHONE SERVICE AND TO ELIMINATE THE STATUTORY REQUIREMENT THAT LINE ACCESS RATES BE SET ON A MEASURED RATE BASIS, is referred to the Committee on Commerce.

By Representative Ives:

H.B. 995, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ENTRY ON A PERSON'S LAND BY A SURVEYOR IN THE COURSE OF BUSINESS IS NOT TRESPASS, is referred to the Committee on Judiciary II.

By Representative Hightower:

H.B. 996, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE POLICY ON EMPLOYMENT OF PRISONERS, is referred to the Committee on Judiciary II.

By Representatives Neely and Thompson:

H.B. 997, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT NOTARIES PUBLIC OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, is referred to the Committee on Judiciary II.

By Representatives Brown and Mitchell:

H.B. 998, A BILL TO BE ENTITLED AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representative Rogers:

H.B. 999, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE SOIL AND WATER CONSERVATION COMMISSION TO CONDUCT INSPECTIONS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary II.

By Representatives Mercer, Goodwin, Moore, and Mosley:

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, FOREST RESOURCES DIVISION, FOR THE RURAL COMMUNITY FIRE PROTECTION PROGRAM, is referred to the Committee on Appropriations.

By Representatives Arnold and Rayfield (Co-Sponsors); and Mitchell:

H.B. 1001, A BILL TO BE ENTITLED AN ACT TO LIMIT THE AUTHORIZATION FOR PAYROLL DEDUCTIONS FROM EMPLOYEES' SALARIES TO EMPLOYEES' ORGANIZATIONS, is referred to the Committee on Education.

By Representative Arnold:

H.B. 1002, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES PERTAINING TO THE QUALITY AND EFFECTIVENESS OF EDUCATION PROVIDED AT SCHOOLS UNDER THE ADMINISTRATION OF THE DEPARTMENT OF HUMAN RESOURCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Russell and McComas:

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMPREHENSIVE PROCESS FOR CAPITAL IMPROVEMENT PLANNING AND BUDGETING, is referred to the Committee on Appropriations.

By Representatives Russell and Shubert:

H.J.R. 1004, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THREE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 182,** A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN PERMANENT RULES ADOPTED BY THE WILDLIFE RESOURCES COMMISSION TO BECOME EFFECTIVE UPON APPROVAL BY THE RULES REVIEW COMMISSION, is read the first time and referred to the Committee on State Government.

Committee Substitute for **S.B. 250,** A BILL TO BE ENTITLED AN ACT TO CLARIFY PERFECTION OF A SECURITY INTEREST IN

AFTER-ACQUIRED REAL PROPERTY, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 251,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON LAW TO PERMIT THE CREATION OF EASEMENTS, RESTRICTIONS, AND COVENANTS BY A LANDOWNER, is read the first time and referred to the Committee on Judiciary I.

S.B. 305, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE OPTION THAT A LICENSED SOLICITOR OF CHARITABLE SOLICITATIONS MAY SUBMIT A CERTIFICATE OF DEPOSIT IN LIEU OF A SECURITY BOND, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 366,** A BILL TO BE ENTITLED AN ACT TO REVISE THE MEDIATION PROCEDURE FOR RESOLVING SCHOOL BUDGET DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS, AND TO CLARIFY THE SCOPE OF THE SCHOOL FACILITIES GUIDELINES, is read the first time and referred to the Committee on Education.

S.B. 457, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAM TO PROVIDE INSTRUCTION ON THE PERFORMANCE OF CARDIO-PULMONARY RESUSCITATION AND THE HEIMLICH MANEUVER, is read the first time and referred to the Committee on Education.

CONFERENCE REPORT

Representative Dickson moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 38

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA, House Committee Substitute Favorable 3/20/97 (Fourth Edition), wish to report as follows:

The House and Senate agree to the following amendment to the House Committee Substitute Favorable 3/20/97 (Fourth Edition), and the Senate concurs in the House Committee Substitute as amended:

on page 1, line 6, by deleting the number "24" and substituting the number "23"; and

on page 1, lines 19 and 20, by deleting those lines in their entirety; and

on page 2, line 1, by deleting "(7)" and substituting "(6)"; and

on page 2, lines 3 through 6, by rewriting those lines to read:

"(7) Two residential consumers of electricity, one to be appointed by the President Pro Tempore of the Senate and one to be appointed by the Speaker of the House of Representatives;

(8) One commercial consumer of electricity to be appointed by the President Pro Tempore of the Senate;"; and

on page 2, lines 7 through 12, by renumbering subdivisions (10) through (12) as subdivisions (9) through (11).

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 16th day of April, 1997.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ David W. Hoyle	S/ Richard T. Morgan
S/ Anthony E. Rand	S/ W.W. Dickson
	S/ Timothy N. Tallent

The Conference Report is adopted, by electronic vote (110-0), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

H.B. 549, A BILL TO BE ENTITLED AN ACT TO EXCHANGE TRACTS OF LAND BETWEEN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND THE TOWN OF BILTMORE FOREST, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Alexander, Cansler, Gray, Hardaway, Nichols, and Rogers - 6.

H.B. 391, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL RETIRED HIGH POINT FIREMEN TO RECEIVE PENSION BENEFITS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 712, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT ORDINANCES RELATING TO THE PARKING OR STANDING OF MOTOR VEHICLES NEAR

FIRE HYDRANTS AND FIRE STATIONS AND IN FIRE LANES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 845, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN GASTON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is sent to the Senate.

Committee Substitute for **H.B. 852,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INFORMATION IN THE STOKES COUNTY 911 DATABASE OBTAINED FROM A TELEPHONE COMPANY IS CONFIDENTIAL IF REQUIRED BY THE AGREEMENT OBTAINING THE INFORMATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 786, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CONCORD TO ALLOW THE CITY MANAGER TO APPOINT THE FINANCE DIRECTOR AND THE CITY CLERK, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Justus, the House adjourns at 1:27 p.m. to reconvene Monday, April 21, 1997, at 6:00 p.m.

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 21, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Jarrell.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-0).

Leaves of absence are granted Representatives Goodwin, Gray, R. Hunter, Russell, and Wood for today. Representative Cunningham is excused for a portion of the session.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 517, AN ACT TO EXTEND THE DEADLINE FOR RAISING FUNDS FOR CONSTRUCTION OF THE NORTH CAROLINA INDIAN CULTURAL CENTER PROVIDED THAT THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., REORGANIZES ITSELF TO FACILITATE THE FUND-RAISING PROCESS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 199, AN ACT TO ALLOW TOWN MANAGERS OF SMALL TOWNS TO HOLD CONCURRENTLY APPOINTIVE AND MUNICIPAL ELECTIVE OFFICES UNDER CERTAIN CIRCUMSTANCES. (S.L. 1997-25)

H.B. 95, AN ACT TO ESTABLISH A THREE-YEAR CYCLE FOR BUILDING CODE AMENDMENTS BEGINNING IN 1999 AND TO MAKE RELATED CHANGES CONCERNING THE ADMINISTRATION AND ENFORCEMENT OF THE STATE BUILDING CODE. (S.L. 1997-26)

S.B. 126, AN ACT TO REQUIRE THAT AN APPLICANT FOR A PERMIT UNDER THE STATUTES GOVERNING SOLID WASTE MANAGEMENT BE FINANCIALLY QUALIFIED AND DEMONSTRATE SUBSTANTIAL COMPLIANCE WITH ENVIRONMENTAL LAWS, AS

RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-27)

S.B. 150, AN ACT TO REDUCE THE FREQUENCY OF THE REPORT ON THE INACTIVE HAZARDOUS SUBSTANCE RESPONSE ACT OF 1987 FROM ANNUALLY TO EVERY TWO YEARS AND TO CLARIFY THE PUBLIC COMMENT PERIOD ON REMEDIAL ACTION PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-28)

S.B. 260, AN ACT TO MODIFY THE PENALTY SCHEDULE FOR VIOLATIONS OF THE VEHICLE EMISSION INSPECTION PROGRAM, TO CLARIFY THE PROCEDURE FOR IMPOSING THE PENALTIES, AND TO MAKE OTHER CHANGES TO THE VEHICLE EMISSION INSPECTION LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-29)

H.B. 189, AN ACT TO AMEND THE NORTH CAROLINA DRINKING WATER ACT SO THAT IT CONFORMS WITH FEDERAL LAW, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-30)

S.B. 140, AN ACT TO ADD TWO MEMBERS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-31)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 299,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM VETERANS, AND TO PROVIDE THAT PROCEEDS FROM THE ADDITIONAL FEE FOR CERTAIN VETERAN SPECIAL PLATES BE USED TO SUPPORT THE NORTH CAROLINA VETERANS HOME, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of April 22. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Shubert and Russell, Co-Chairs, for the Committee on Education:

H.B. 157, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS ATTENDING COMMUNITY COLLEGES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 769, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 199, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO LIENS DUE MEDICAL PROVIDERS FOR MEDICAL SERVICES PROVIDED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 312, A BILL TO BE ENTITLED AN ACT UPDATING THE STATUTORY MORTALITY TABLES USED AS EVIDENCE TO

ESTABLISH THE EXPECTANCY OF CONTINUED LIFE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 110, A BILL TO BE ENTITLED AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

H.B. 810, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO AUTHORIZE EDGECOMBE COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Aldridge and Howard, Co-Chairs, for the Standing Committee on Human Resources, refer:

H.B. 682, A BILL TO BE ENTITLED AN ACT TO INCLUDE HOME CARE AGENCIES UNDER THE PHARMACY OF CHOICE LAW WHEN THEY ARE PROVIDING NURSING INFUSION SERVICES, to the Permanent Subcommittee on Families.

H.B. 896, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF/CHILD RATIOS FOR CHILD DAY CARE

FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES, to the Permanent Subcommittee on Families.

H.B. 897, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS PERTAINING TO THE NUMBER OF MEMBERS OF ADVISORY COMMITTEES OF NURSING HOMES AND REST HOMES, to the Permanent Subcommittee on Aging.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

On motion of the Chair and without objection, Committee Substitute for **H.J.R. 683,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DR. JOY JOSEPH JOHNSON, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Davis, Aldridge, Capps, Carpenter, Clary, Culp, Eddins, Hall, Hardy, Kiser, Morris, Owens, Reynolds, Sexton, Starnes, Weatherly, and G. Wilson:

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO ALLOW INJURED EMPLOYEES SUBJECT TO THE WORKERS' COMPENSATION ACT TO SELECT OR CHANGE TREATING PHYSICIANS ONE TIME WITHOUT THE NEED TO GET THE APPROVAL OF THE INDUSTRIAL COMMISSION, is referred to the Committee on Commerce and, if favorable, to the Committee on Insurance.

By Representatives Davis, Capps, Culp, Hardy, Ives, Sexton, and Starnes:

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXEMPTION FOR ANNOUNCING REQUIREMENTS OF CAPITAL IMPROVEMENT PROJECT DESIGNS, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Moore, Morris, and Tallent:

H.B. 1007, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE CONTROL OF LEAD EXPOSURE OF CHILDREN, is referred to the Committee on Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Watson and Morris:

H.B. 1008, A BILL TO BE ENTITLED AN ACT REGARDING THE EDUCATIONAL REQUIREMENTS FOR CHIROPRACTIC LICENSURE AND TO AUTHORIZE THE BOARD TO LICENSE PERSONS WHO HAVE PASSED THE NATIONAL CHIROPRACTIC EXAMINATION, is referred to the Committee on Judiciary I.

By Representatives Morris, Hardy, and Starnes:

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Environment.

By Representatives Warner, Aldridge, Alexander, Arnold, Baker, Barbee, Berry, Black, Bonner, Boyd-McIntyre, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Decker, Dedmon, Dickson, Eddins, Fox, Goodwin, Gulley, Hackney, Hardaway, Hardy, Hiatt, Hill, Howard, Hurley, Insko, Jarrell, Kinney, Kiser, Luebke, McAllister, McCombs, McCrary, Michaux, Miller, Mitchell, Moore, Morris, Nesbitt, Nichols, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Wainwright, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue:

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PARTS MAY BE REMOVED FROM CONFISCATED WEAPONS

PRIOR TO THE DESTRUCTION OF THE WEAPONS TO REPAIR EXISTING LAW ENFORCEMENT WEAPONS, is referred to the Committee on Judiciary I.

By Representatives Capps, Eddins, Hensley, Mosley, and Neely:

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO CREATE THE LOW PRESSURE PIPE NETWORK REPLACEMENT EMERGENCY FUND, is referred to the Committee on Appropriations.

By Representatives Sexton, Baker, Berry, Brawley, Brown, Cansler, Carpenter, Clary, Decker, Eddins, Gulley, Hall, Hardy, Hiatt, Kiser, McComas, McMahan, Morris, Nichols, Owens, Rayfield, Reynolds, Sherrill, Starnes, and Thompson:

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS, is referred to the Committee on Judiciary I.

By Representatives Cansler, Baddour, Buchanan, Davis, Hall, Hill, Morris, Nichols, Rayfield, Sexton, Sherrill, Shubert, and Starnes:

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SALES TAX ON FOOD, REVISE THE DEFINITION OF FOOD FOR SALES TAX PURPOSES, AND ALLOW A PERCENTAGE DISCOUNT TO MERCHANTS FOR COLLECTING STATE SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Nesbitt, Adams, Alexander, Baddour, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cole, Creech, Culpepper, Cunningham, Decker, Dedmon, Earle, Easterling, Esposito, Fitch, Gamble, Goodwin, Gulley, Hackney, Hensley, Hiatt, Hightower, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCrary, McMahan, Michaux, Miller, Miner, Moore, Mosley, Nichols, Nye, Oldham, Owens, Ramsey, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ELECTION LAWS DESIGNED TO PREVENT

LONG LINES AT THE POLLS ON ELECTION DAY, is referred to the Committee on Election Law and Campaign Reform.

By Representatives Russell, Baker, Davis, and Starnes:

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CROP ALLOTMENTS SHALL NOT BE CONSIDERED IN APPRAISING LAND FOR AD VALOREM TAX PURPOSES, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Earle, Alexander, Baddour, Boyd-McIntyre, Braswell, Cunningham, Easterling, Gulley, Jeffus, Luebke, McAllister, Mercer, Moore, Mosley, Saunders, Sutton, Wainwright, C. Wilson, Womble, Wright, and Yongue:

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO PROVIDE COUNTIES WITH FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE DAY CARE FRAUD AND OVERPAYMENTS BY PAYING COUNTIES TWENTY-FIVE PERCENT OF ACTUAL COLLECTIONS, is referred to the Committee on Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Michaux and Wainwright:

H.B. 1017, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ALLOW THE MEMBERS OF THE FUNERAL DIRECTORS & MORTICIANS ASSOCIATION OF NORTH CAROLINA, INC., AND THE NORTH CAROLINA FUNERAL DIRECTORS ASSOCIATION, INC., TO ELECT MEMBERS OF THEIR ASSOCIATIONS TO SERVE ON THE BOARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Smith and Wainwright:

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OPERATIONS OF THE COOPERATIVE EXTENSION SERVICE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Preston, Adams, Arnold, Black, Bowie, Brawley, Cansler, Capps, Clary, Cunningham, Davis, Dickson, Fitch, Grady, Gulley,

Hall, Hiatt, Jarrell, Kinney, McMahan, Moore, Morris, Neely, Nichols, Rayfield, Reynolds, Russell, Sexton, Sherrill, Shubert, Starnes, Wainwright, Warner, Watson, C. Wilson, and G. Wilson:

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IMPLEMENT RIGOROUS AND FOCUSED CONTENT STANDARDS IN READING, WRITING, MATH, SCIENCE, AND SOCIAL STUDIES, AND TO MAKE AN APPROPRIATION, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Hardy:

H.B. 1020, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURES FOR SETTLEMENT OF PERSONAL AUTOMOBILE AND COMMERCIAL LIABILITY INSURANCE CLAIMS, is referred to the Committee on Insurance.

By Representatives Hardy, Reynolds, and Watson:

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE WASTEWATER SYSTEMS PERMITS STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hardy and Morris:

H.B. 1022, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO TRANSFER CREDITABLE SERVICE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baddour:

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE PRETRIAL RELEASE AND BOND FORFEITURE PROCEDURE, is referred to the Committee on Judiciary II.

By Representatives Hurley, Barbee, Boyd-McIntyre, Brawley, Gamble, Holmes, McCrary, Morris, and Warner:

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE LICENSING OF CERTAIN SUBSIDIARIES OF INSURERS OWNED OR CONTROLLED BY FOREIGN GOVERNMENTS, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary I.

By Representatives Hurley, Boyd-McIntyre, Brawley, Gamble, Kinney, McAllister, Morris, Nichols, Sexton, Wainwright, Warner, and Yongue:

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN MEMBERS OF THE MILITARY ARE CLASSIFIED AS NORTH CAROLINA RESIDENTS AND SO QUALIFY TO PAY IN-STATE TUITION AT STATE INSTITUTIONS OF HIGHER EDUCATION, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Arnold, Morris, Nichols, Preston, and Sexton:

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELEVEN MONTHS OF EMPLOYMENT FOR TEACHERS, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Owens:

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO STIMULATE SUBSTANTIAL GROWTH OF VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA THROUGH INVESTMENTS BY THE STATE TREASURER, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Owens and Wainwright:

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN REQUIREMENTS ON TOWING OPERATORS TO PROVIDE PROTECTION FOR MEMBERS OF THE PUBLIC, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives Bowie, Insko, Jeffus, and Luebke:

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A DENTAL EXAMINATION PILOT PROGRAM, is referred to the

Committee on Human Resources and, if favorable, to the Committee on Appropriations.

By Representatives Mosley, Warwick, and Watson:

H.B. 1030, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NURSING HOMES TO OBTAIN CRIMINAL HISTORY RECORD CHECKS FROM THE CLERK OF COURT, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary I.

By Representatives Grady, Nichols, Preston, and Watson:

H.B. 1031, A BILL TO BE ENTITLED AN ACT TO PROVIDE A RETIREMENT INCENTIVE BY GRANTING A SEPARATION ALLOWANCE FOR ALL ELIGIBLE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representatives Allred, Hill, and Watson:

H.B. 1032, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADOPTION OF RULES THAT AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SANITARY LANDFILLS THAT PROVIDE FOR AN EQUALLY PROTECTIVE LANDFILL LINER, is referred to the Committee on Environment.

By Representative Church:

H.B. 1033, A BILL TO BE ENTITLED AN ACT RELATING TO BANK CHARTERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Reynolds:

H.B. 1034, A BILL TO BE ENTITLED AN ACT CONCERNING RESTRUCTURING OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hardy, Buchanan, McComas, Morris, Mosley, Sexton, and Thompson:

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RETIREMENT BY LAW ENFORCEMENT OFFICERS WITH UNREDUCED BENEFITS AFTER TWENTY YEARS OF SERVICE, REGARDLESS OF AGE, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representative Hardy:

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO RESTRICT ENTITLEMENT TO COUNSEL OF INDIGENT PERSONS TO THOSE INSTANCES IN WHICH THE FEDERAL COURTS HAVE INTERPRETED THE UNITED STATES CONSTITUTION TO REQUIRE THE APPOINTMENT OF COUNSEL, is referred to the Committee on Judiciary I.

By Representatives Arnold and Sexton:

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSPORTATION AND RESALE OF THE EDIBLE PARTS OF BEAR AND DEER TAKEN IN ANOTHER STATE, is referred to the Committee on Agriculture.

By Representative Nichols:

H.B. 1038, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF PHARMACY AND TO ALLOW THE GENERAL ASSEMBLY TO APPOINT MEMBERS TO THE BOARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weatherly, Baker, Carpenter, Church, Culp, Fox, Hall, Hill, Kiser, McMahan, Preston, Russell, Saunders, Wilkins, and Yongue:

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO MAINTAIN VEHICLE TITLE RECORDS TO REFLECT INSURANCE CLAIMS AND SALVAGE HISTORY ON ALL MOTOR VEHICLES REGISTERED IN THIS STATE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative Wood (by request):

H.B. 1040, A BILL TO BE ENTITLED AN ACT TO LICENSE ENVIRONMENTAL MANAGEMENT PROFESSIONALS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Neely and Morris:

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA LAW RELATING TO MOTOR VEHICLE SALVAGE TITLES, is referred to the Committee on Transportation.

By Representative Black:

H.B. 1042, A BILL TO BE ENTITLED AN ACT TO PROVIDE PARTIES WITH THE RIGHT TO THE PUBLICATION OF ANY OPINION ISSUED BY THE COURT OF APPEALS, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Appropriations.

By Representatives Brown, Davis, Hill, Mitchell, Sexton, and Watson:

H.B. 1043, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FARM ENVIRONMENTAL COMPLIANCE REVOLVING LOAN FUND TO PROVIDE ASSISTANCE TO FARMERS TO ACHIEVE ENVIRONMENTAL COMPLIANCE, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representative Rogers:

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION, is referred to the Committee on Finance.

By Representative Shubert:

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, is referred to the Committee on Judiciary II.

By Representative Shubert:

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AUDIT PROCESS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., is referred to the Committee on Education.

By Representatives Shubert and Reynolds (Co-Sponsors); Tolson and Wilkins:

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON INFORMATION TECHNOLOGY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By House Committee on Judiciary II; and Representative Hensley:

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR COCK FIGHTING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By House Committee on Judiciary II; Representatives Hensley and McComas:

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CRUELTY TO ANIMALS.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 22.

By House Committee on Local and Regional Government II:

H.B. 1050, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES TO DONATE UNCLAIMED BICYCLES TO CHARITY.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 22.

By Representatives Miller, Preston, and Wainwright:

H.B. 1051, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DUTY OF HOSPITALS AND OTHER AGENCIES WITH RESPECT TO ORGAN PROCUREMENT AND DONATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miller:

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE

FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW, is referred to the Committee on Insurance.

By Representatives Baddour, Hensley, Insko, Luebke, and Mosley:

H.B. 1053, A BILL TO BE ENTITLED AN ACT TO STOP THE FLOW OF CORPORATE POLITICAL CONTRIBUTIONS INTO NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Russell, Davis, Hightower, and Shubert:

H.J.R. 1054, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Russell:

H.B. 1055, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MANDATORY ARBITRATION OF CLAIMS RELATED TO DEFECTIVE SEED, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Morris and Hardy:

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART EXAMINERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady, McComas, and Preston:

H.B. 1057, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Cunningham, Black, Blue, Bonner, Brawley, Earle,

Easterling, Fitch, Goodwin, Hall, H. Hunter, Jarrell, Jeffus, Kinney, McAllister, Owens, Saunders, Smith, Wainwright, Womble, and Wright:

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE FACILITIES THAT RECEIVE STATE FUNDS TO ALLOW PROVIDERS WHO HAVE MET THE FACILITY'S CREDENTIALING REQUIREMENTS TO DIAGNOSE AND TREAT PATIENTS AT THE FACILITY, is referred to the Committee on Insurance.

By Representative Wright:

H.B. 1059, A BILL TO BE ENTITLED AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

By Representatives H. Hunter and Wainwright:

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CENTRAL CHILDREN'S HOME OF NORTH CAROLINA, INC., FOR CAPITAL IMPROVEMENTS, is referred to the Committee on Appropriations.

By Representatives McCombs, Arnold, Culp, Fox, Hill, Hurley, McCrary, McMahan, Mitchell, Nye, Owens, Sexton, Thompson, and Yongue:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED SPORTSMEN, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representatives Berry, Gardner, McMahan, Morris, Preston, Reynolds, Russell, Shubert, Tolson, C. Wilson, and G. Wilson:

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO DEVELOP AND IMPLEMENT A PLAN FOR PROVIDING LOW-COST HEALTH INSURANCE COVERAGE TO CHILDREN WHOSE PARENTS ARE ORDERED TO PROVIDE MEDICAL SUPPORT UNDER ORDERS

ENFORCED BY THE DEPARTMENT, is referred to the Committee on Human Resources and, if favorable, to the Committee on Finance.

By Representatives Berry, Gardner, Hiatt, Preston, Russell, Sherrill, and G. Wilson:

H.B. 1063, A BILL TO BE ENTITLED AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT AND RELATED STATUTES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fox, Aldridge, Arnold, Baker, Beall, Berry, Blue, Bonner, Boyd-McIntyre, Buchanan, Church, Cole, Crawford, Creech, Culp, Davis, Dedmon, Easterling, Gamble, Gardner, Hall, Hightower, Hill, Howard, H. Hunter, Hurley, Jarrell, Kinney, Kiser, McCombs, McCrary, Mercer, Michaux, Moore, Nye, Owens, Preston, Ramsey, Sexton, Sherrill, Smith, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, and Yongue:

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY ON OR NEAR THE PREMISES AND TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT, is referred to the Committee on Judiciary II.

By Representatives Davis, Aldridge, Buchanan, Decker, Sexton, and Starnes:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS UNLAWFUL TO DISSEMINATE CERTAIN MATERIALS TO A MINOR WITHOUT WRITTEN PARENTAL CONSENT AND TO PROVIDE THAT CRIMINAL AND CIVIL PENALTIES MAY BE IMPOSED FOR SUCH VIOLATIONS, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary I.

By Representatives Davis and Aldridge:

H.B. 1066, A BILL TO BE ENTITLED AN ACT TO AMEND THE DIVORCE LAW TO ALLOW A PARTY TO OBJECT TO THE DIVORCE IF THERE ARE MINOR CHILDREN, is referred to the Committee on Judiciary II.

By Representatives Starnes, Aldridge, Baker, Barbee, Berry, Bowie, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Culp, Davis, Decker, Dickson, Dockham, Esposito, Gardner, Grady, Gulley, Hall, Hardy, Hiatt, Holmes, Howard, McComas, McMahan, Miner, Morgan, Morris, Owens, Rayfield, Reynolds, Russell, Sexton, Sherrill, Shubert, Thompson, Weatherly, C. Wilson, and G. Wilson:

H.B. 1067, A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, AND PROHIBITING UNFUNDED STATE MANDATES, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Hardy, Hill, Morris, and Starnes:

H.B. 1068, A BILL TO BE ENTITLED AN ACT TO ALLOW A PERCENTAGE DISCOUNT TO MERCHANTS FOR COLLECTING STATE SALES AND USE TAXES, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Womble, Adams, Blue, Bonner, Boyd-McIntyre, Braswell, Buchanan, Cole, Cunningham, Davis, Decker, Earle, Eddins, Fitch, Fox, Gamble, Goodwin, Hightower, H. Hunter, Hurley, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCrary, Mercer, Michaux, Moore, Mosley, Oldham, Rayfield, Redwine, Saunders, Sexton, Smith, Sutton, Wainwright, Warner, Warwick, Watson, C. Wilson, Wright, and Yongue:

H.B. 1069, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO ENCOURAGE THE HIRING INTO STATE GOVERNMENT EMPLOYMENT OF QUALIFIED WORK FIRST PROGRAM PARTICIPANTS, is referred to the Committee on State Government.

By Representatives Moore, Black, Bonner, Clary, Davis, Dedmon, Earle, Gardner, Goodwin, Grady, Howard, Ives, Jarrell, Jeffus, Kiser, Mosley, Saunders, Sexton, Tallent, Wainwright, Warwick, Watson, and Womble:

H.B. 1070, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING

EACH COUNTY TO (I) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (II) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

By Representative Capps:

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO REQUIRE TENANTS TO PAY TO THE CLERK OF COURT THE AMOUNT OF RENT IN ARREARS TO STAY THE EXECUTION OF JUDGMENT FOR SUMMARY EJECTMENT PENDING APPEAL TO DISTRICT COURT AND TO POST A BOND FOR ANY FURTHER APPEALS, is referred to the Committee on Judiciary I.

By Representatives Cole, Baddour, Black, Bonner, Boyd-McIntyre, Church, Dedmon, Fox, Gamble, Goodwin, Grady, Hill, Hurley, Jarrell, Jeffus, Kiser, Mercer, Moore, Mosley, Owens, Preston, Saunders, Sexton, Tolson, Warwick, and Wilkins:

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SCHOOLS TO DEVELOP CASE MANAGEMENT PLANS FOR JUVENILES TO PREVENT SCHOOL VIOLENCE, is referred to the Committee on Education.

By Representatives Cole, Buchanan, and Hiatt:

H.B. 1073, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE TITLE APPLICATIONS AND FEES TO THE STATE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Hall, Baker, Barbee, Bonner, Capps, Clary, Creech, Culp, Davis, Eddins, Fox, Grady, Hiatt, Hill, Justus, Kinney, Kiser, Mitchell, Mosley, Preston, Rayfield, Starnes, Tallent, Weatherly, and Womble:

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON FROM REPRESENTING THAT THE PERSON PROVIDES OR OBTAINS DEBT CONSOLIDATION WHEN THE SERVICE THAT

PERSON PRIMARILY PROVIDES IS RELATED TO BANKRUPTCY PROCEEDINGS, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

By Representatives Hall, Baker, Bonner, Boyd-McIntyre, Culp, Cunningham, Davis, Eddins, Fox, Grady, Hiatt, Hill, Justus, Kinney, Kiser, Mitchell, Morris, Mosley, Owens, Rayfield, Sherrill, Smith, Starnes, Tolson, Weatherly, Wilkins, C. Wilson, and Womble:

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO PERMIT LENDERS TO CONTRACT FOR AND RECEIVE SHARED APPRECIATION IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

By Representatives Clary, Baker, Barbee, Bonner, Capps, Dedmon, Gulley, Hall, Hiatt, Justus, Kiser, McComas, Morris, Rayfield, Reynolds, Saunders, Sexton, Sherrill, Shubert, Starnes, Thompson, Watson, and Weatherly:

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF CERTAIN MAGISTRATES TO DISPOSE OF INFRACTIONS, is referred to the Committee on Judiciary I.

By Representatives Clary, Bonner, Capps, Culp, Dedmon, Earle, Gulley, McAllister, Moore, Morris, Reynolds, Saunders, Sexton, Sherrill, Shubert, Starnes, Thompson, Watson, and Weatherly:

H.B. 1077, A BILL TO BE ENTITLED AN ACT REGULATING THE PRACTICE OF MASSAGE AND BODYWORK THERAPIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Kiser, Baker, Barbee, Buchanan, Carpenter, Hardy, Justus, McCrary, McMahan, Sexton, Sherrill, Smith, and Thompson:

H.B. 1078, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION TO ESTABLISH MINIMUM EMPLOYMENT, TRAINING, AND RETENTION STANDARDS FOR THE TELECOMMUNICATORS AND TO APPROPRIATE FUNDS TO IMPLEMENT THE ACT, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

By Representatives Watson, Gardner, and Morris:

H.B. 1079, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE CONTROLLED SUBSTANCES LAWS, is referred to the Committee on Judiciary I.

By Representatives Hackney, Hightower, Insko, Luebke, Miner, and Mosley:

H.B. 1080, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NORTH CAROLINA'S WITHDRAWAL FROM THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT AND TO REPEAL THE NORTH CAROLINA LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY ACT OF 1987, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

By Representatives Allred, Decker, Hardy, Hill, and Smith:

H.B. 1081, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES AND INTRODUCTION OF ADDITIONAL EVIDENCE OF PROPERTY VALUE IN CERTAIN CONDEMNATION ACTIONS, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives Sutton and Buchanan:

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "NATIVE AMERICAN" REGISTRATION PLATE WITH THE NET PROCEEDS FROM THE SALE OF THE PLATES TO BE TRANSFERRED TO THE NORTH CAROLINA COMMISSION ON INDIAN AFFAIRS, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Justus, Black, Brown, Carpenter, Clary, Dickson, Hiatt, Kiser, Miner, Rayfield, Reynolds, Sexton, Sherrill, and Thompson:

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO TRANSFER THREE MILLION DOLLARS FROM THE HIGHWAY TRUST FUND TO THE HIGHWAY FUND, TO BE USED FOR SPOT SAFETY IMPROVEMENTS AND MAINTENANCE OF THE STATE'S HIGHWAYS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, Blue, Boyd-McIntyre, Braswell, Easterling, Hackney, Hensley, H. Hunter, Hurley, McAllister, McCrary, Mosley, Owens, Sutton, Wainwright, Wright, and Yongue:

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS BY REQUIRING CONTRACTS FOR THE RENTAL OF SELF-SERVICE STORAGE TO CLEARLY STATE THE TERMS REGARDING THE IMPOSITION OF LATE FEES AND TO LIMIT THE RATE OF LATE FEES, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives Luebke, Miller, and Michaux (Co-Sponsors); Alexander, Boyd-McIntyre, Braswell, Earle, Easterling, Hackney, Hensley, H. Hunter, Insko, McAllister, Mosley, Wainwright, and Wright:

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING ETHNIC INTIMIDATION, is referred to the Committee on Judiciary I.

By Representative Miller:

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO AMEND RULE 68 OF THE RULES OF CIVIL PROCEDURE REGARDING OFFERS OF JUDGMENT, is referred to the Committee on Judiciary I.

By Representative Baker:

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO MAKE TRESPASSING WITH A MOTORIZED WHEELED OR TRACKED VEHICLE A MISDEMEANOR, is referred to the Committee on Judiciary II.

By Representatives Warner, Bonner, Culp, Dedmon, Fox, Goodwin, Gulley, Hiatt, Hightower, R. Hunter, Insko, Jarrell, Luebke, Morris, Rayfield, Saunders, Sutton, Tolson, Warwick, and Yongue:

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON FROM SENDING AN UNSOLICITED ADVERTISEMENT TO A CELLULAR TELEPHONE, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

By Representatives Kinney, Baddour, Braswell, Hall, McAllister, Nichols, Redwine, Wainwright, and Womble:

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN MEMBERS OF THE MILITARY ARE CLASSIFIED AS NORTH CAROLINA RESIDENTS AND SO QUALIFY TO PAY IN-STATE TUITION AT STATE INSTITUTIONS OF HIGHER EDUCATION, is referred to the Committee on Education.

By Representatives Redwine, Cole, Culpepper, Hill, McComas, Nye, Owens, Preston, Rayfield, Smith, Wainwright, Warwick, and Wright:

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BEACH RENOURISHMENT FUND, THE TRUSTEES OF THE FUND, AND TO RESERVE FIVE PERCENT OF THE UNRESERVED CREDIT BALANCE IN THE GENERAL FUND AT THE END OF EACH FISCAL YEAR TO THE BEACH RENOURISHMENT FUND, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representatives Braswell, Arnold, Black, Hackney, R. Hunter, Justus, Kiser, Miner, Mitchell, Mosley, Thompson, Warwick, and C. Wilson:

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN CRIMINAL RECORD CHECKS TO BE CONDUCTED BY PRIVATE BUSINESS, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

By Representatives Creech, Alexander, Allred, Arnold, Berry, Bowie, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Davis, Dedmon, Eddins, Fox, Hall, Hightower, Hill, Ives, Kiser, McMahan, Mercer, Mitchell, Moore, Nichols, Russell, Sexton, Smith, Starnes, Tolson, Warwick, and Wilkins:

H.B. 1092, A BILL TO BE ENTITLED AN ACT TO PHASE DOWN THE SALES TAX ON ELECTRICITY AND PIPED NATURAL GAS USED IN FARMING AND MANUFACTURING, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Nesbitt, Beall, Bowie, Cansler, Carpenter, Hightower, R. Hunter, Ives, Justus, Ramsey, Sherrill, Thompson, and G. Wilson:

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO PERMANENTLY ASSIGN A HIGHWAY PATROL HELICOPTER AND THE NECESSARY OPERATING PERSONNEL TO ASHEVILLE TO SERVE THE WESTERN

PART OF THE STATE, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representative Culpepper:

H.B. 1094, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR PREEMPTED PROVISIONS OF THE GENERAL STATUTES AFFECTING RAILROADS, TO RECODIFY CERTAIN RAILROAD STATUTES, AND TO MAKE CONFORMING CHANGES AND CLARIFYING CHANGES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Gamble, Hensley, and Hill:

H.B. 1095, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT DEALER PLATES ARE USED ONLY ON VEHICLES DRIVEN FOR A BUSINESS PURPOSE OF THE DEALERSHIP, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Hiatt, Aldridge, Alexander, Allred, Barbee, Berry, Black, Bowie, Brawley, Brown, Buchanan, Capps, Carpenter, Cole, Crawford, Culp, Decker, Eddins, Fox, Gamble, Gray, Gulley, Hardy, Hightower, Hill, Howard, R. Hunter, Jarrell, Justus, Kiser, McCombs, McMahan, Mercer, Michaux, Miner, Mitchell, Morris, Mosley, Owens, Preston, Rayfield, Redwine, Russell, Saunders, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue:

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE AND TO PROVIDE CONSUMER PROTECTION PROVISIONS, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Preston, Buchanan, Culpepper, Daughtry, Eddins, Grady, Hill, Mitchell, Nichols, Redwine, Reynolds, Smith, and Wainwright:

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA, is

referred to the Committee on Environment and, if favorable, to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

By Representatives Preston, Arnold, Grady, Morris, Russell, Sherrill, Shubert, and Smith:

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCEDURE FOR MEDIATION OF SPECIAL EDUCATION DISPUTES BETWEEN LOCAL EDUCATION AGENCIES AND PARENTS, is referred to the Committee on Education.

By Representatives Preston, Arnold, Grady, Russell, Sherrill, Shubert, and Smith:

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES, is referred to the Committee on Education.

By Representative Russell:

H.B. 1100, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS UPON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS, TO AUTHORIZE THE REMOVAL AND DESTRUCTION OF CERTAIN DEATH AND BIRTH CERTIFICATES, TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, AND TO AUTHORIZE THE STUDY OF LAND TITLE REGISTRATION PROCEDURES, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives Brawley, Buchanan, Cansler, Davis, Hightower, Morris, and Sexton:

H.J.R. 1101, A JOINT RESOLUTION TO LET THE PROFESSIONAL EDUCATORS OF THIS STATE KNOW THAT THEY HAVE THE COMPLETE SUPPORT OF THE GENERAL ASSEMBLY IN THEIR EFFORTS TO MAINTAIN ORDER AND DISCIPLINE IN THE CLASSROOM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brawley and Morris:

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXEMPTION FROM ALL CHILD DAY CARE HOME REGULATION

FOR NEIGHBORS HELPING NEIGHBORS WITH CHILD CARE, is referred to the Committee on Human Resources.

By Representative Brawley:

H.B. 1103, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THREE WILDLIFE ENFORCEMENT OFFICERS AT LAKE NORMAN, is referred to the Committee on Appropriations.

By Representative Brawley:

H.B. 1104, A BILL TO BE ENTITLED AN ACT TO REQUIRE HIGHWAY RIGHT-OF-WAY PLANS RECORDED WITH A REGISTER OF DEEDS TO COMPLY WITH RECOGNIZED LAND SURVEYING STANDARDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brawley:

H.B. 1105, A BILL TO BE ENTITLED AN ACT RELATING TO DIRECT CONTRACT PLANS BETWEEN AN EMPLOYER AND THE HEALTH CARE PROVIDER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 1106, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HIGHER WEIGHT LIMIT FOR CERTAIN TRUCKS HAULING RAW FOREST PRODUCTS, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative Neely:

H.B. 1107, A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE COMPOSITION OF FACILITY AUTHORITIES AND THE LEVYING OF TAXES USED TO PAY FOR CAPITAL COSTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McMahan, Culp, Cunningham, Dockham, Earle, McComas, Tallent, and Weatherly:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives McMahan, Berry, Black, Bowie, Culp, Dockham, Gulley, Kiser, Rayfield, Sexton, Starnes, Tallent, and Weatherly:

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON, FIRM, CORPORATION, OR AUTHORIZED EMPLOYEE WHO ISSUES A CHECK FOR COMMERCIAL DEBT PAYMENTS ON OPEN OR REVOLVING CREDIT ACCOUNTS MAY BE PROSECUTED FOR A WORTHLESS CHECK VIOLATION, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

By Representatives McMahan, Berry, Buchanan, Culp, Dockham, Gulley, Starnes, Tallent, and Weatherly:

H.B. 1110, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTES RELATED TO LANDSCAPE ARCHITECTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McMahan, Berry, Black, Buchanan, Creech, Culp, Cunningham, Dockham, Earle, Easterling, Gulley, Kiser, McCombs, Mitchell, Rayfield, Saunders, Sexton, Starnes, and Tallent:

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representative Nesbitt:

H.B. 1112, A BILL TO BE ENTITLED AN ACT TO ENACT THE SURROGATE CONSENT FOR HEALTH CARE ACT, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

By Representatives Hardy and Hall (Co-Sponsors); Buchanan, Morris, Nichols, Preston, and Thompson:

H.B. 1113, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE HIGHWAY USE TAX FIRE TRUCKS AND RESCUE VEHICLES OWNED BY VOLUNTEER FIRE DEPARTMENTS AND VOLUNTEER RESCUE SQUADS, is referred to the Committee on Finance.

By Representatives Eddins and Sexton (Co-Sponsors); Hill and Starnes:

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS IN WAKE AND ROCKINGHAM COUNTIES IN THE OFFICE OF THE DISTRICT ATTORNEY FOR THE COLLECTION OF WORTHLESS CHECKS, is referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

By Representatives Boyd-McIntyre and Grady (Co-Sponsors); Adams, Aldridge, Alexander, Baddour, Black, Blue, Bonner, Bowie, Braswell, Cansler, Carpenter, Clary, Crawford, Culp, Culpepper, Cunningham, Davis, Dedmon, Dickson, Earle, Easterling, Esposito, Fitch, Fox, Gamble, Gardner, Hackney, Hall, Hardaway, Hensley, Hightower, Hill, Howard, H. Hunter, Hurley, Insko, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morris, Mosley, Nichols, Oldham, Owens, Preston, Reynolds, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, Womble, Wright, and Yongue:

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE, is referred to the Committee on Insurance.

By Representatives Boyd-McIntyre, Adams, Aldridge, Alexander, Baddour, Beall, Black, Bonner, Braswell, Brawley, Cansler, Carpenter, Crawford, Culpepper, Cunningham, Davis, Earle, Easterling, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hall, Hensley, Hiatt, Howard, H. Hunter, Hurley, Insko, Jarrell, Kinney, Luebke, McCrary, Miller, Miner, Mitchell, Moore, Morris, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, Womble, Wood, and Yongue:

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO REQUIRE MEDICAL INSTITUTIONS AND UNIVERSITY HOSPITALS THAT RECEIVE STATE FUNDS TO INCLUDE WOMEN AS SUBJECTS IN

MEDICAL RESEARCH PROJECTS, AS APPROPRIATE, is referred to the Committee on Human Resources.

By Representative Boyd-McIntyre:

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE TEACHING OF STANDARD AMERICAN ENGLISH TO AFRICAN-AMERICAN STUDENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miller:

H.B. 1118, A BILL TO BE ENTITLED AN ACT TO INCREASE RETIREMENT BENEFITS FOR MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM WHOSE BENEFITS WERE SUSPENDED AS A RESULT OF REEMPLOYMENT, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representative McComas:

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO AMEND THE INSURANCE STATUTES TO REVISE THE LAW GOVERNING COASTAL INSURANCE COVERAGE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McComas and Davis:

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO ALLOW PRESCRIBED BURNING IN FORESTS BY FOREST LANDOWNERS UNDER CERTAIN CONDITIONS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary I.

By Representatives McComas, Allred, Cansler, and Morris:

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE SAFE REUSE OF PROPERTIES WHERE ACTUAL CONTAMINATION, OR THE POSSIBILITY OF CONTAMINATION, HAS IMPEDED REDEVELOPMENT AND TO CREATE THE BROWNFIELDS STUDY COMMISSION, is referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representative Gulley:

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY, is referred to the Committee on Judiciary I.

By Representatives Sherrill and Thompson:

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT, is referred to the Committee on State Government and, if favorable, to the Committee on Judiciary I.

By Representatives Capps and Watson:

H.B. 1124, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE DEPARTMENT OF JUSTICE MAY PERFORM CRIMINAL RECORDS CHECKS TO FACILITATE BACKGROUND INVESTIGATIONS FOR FIREFIGHTER AND RESCUE SQUAD APPLICANTS, is referred to the Committee on Judiciary I.

By Representatives Miner, Barbee, Church, Culpepper, Hardaway, Hardy, Justus, and Nichols:

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO REVISE THE CLASSIFICATION OF LENDERS WHO MAY CONTRACT FOR THE PAYMENT OF CHARGES IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representative Miner:

H.B. 1126, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Miner, Braswell, Hardy, Reynolds, Starnes, and Wilkins:

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO ENACT THE CUSTOMER CHOICE IN ELECTRICITY ACT, WHICH REQUIRES THE UTILITIES COMMISSION TO INITIATE A PROCEEDING TO RESTRUCTURE THE ELECTRIC UTILITY INDUSTRY, REQUIRES CERTAIN ELECTRIC UTILITIES TO FILE WITH THE UTILITIES COMMISSION RESTRUCTURING PLANS PROVIDING FOR CUSTOMER CHOICE, PROVIDES THAT ALL RETAIL CUSTOMERS SHALL BE PERMITTED TO CHOOSE THEIR ELECTRICITY SUPPLIERS BY A DATE CERTAIN, REQUIRES CERTAIN ELECTRIC UTILITIES TO SEPARATE GENERATION ASSETS AND OPERATIONS FROM TRANSMISSION AND DISTRIBUTION ASSETS AND OPERATIONS, REQUIRES CERTAIN ELECTRIC UTILITIES TO PROVIDE OPEN ACCESS TO THEIR TRANSMISSION AND DISTRIBUTION FACILITIES, REQUIRES THE UTILITIES COMMISSION TO ENSURE THAT RELIABLE AND SAFE ELECTRIC SERVICE IS MAINTAINED OR IMPROVED, PROVIDES FOR A SYSTEM BENEFITS CHARGE TO FUND RENEWABLE ENERGY RESOURCES, ENERGY EFFICIENCY, AND LOW-INCOME ENERGY ASSISTANCE, ALLOWS ELECTRIC UTILITIES TO RECOVER A PORTION OF THEIR STRANDED COSTS, AMENDS THE GENERAL STATUTES TO REMOVE PERSONS GENERATING ELECTRICITY FROM THE DEFINITION OF PUBLIC UTILITIES, AND PROVIDES FOR OTHER RELATED MATTERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Miner, Adams, Alexander, Arnold, Baddour, Barbee, Berry, Bonner, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Davis, Dedmon, Dickson, Eddins, Fox, Gamble, Gulley, Hall, Hardy, Hiatt, Hill, Ives, Jarrell, Justus, Kinney, Kiser, McComas, McCombs, McCrary, McMahan, Mitchell, Moore, Morris, Neely, Nichols, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Wright:

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Miner and Hackney (Co-Sponsors); Blue, Hensley, Hightower, H. Hunter, Insko, Luebke, and Mosley:

H.B. 1129, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REIMBURSEMENT OF FUNDS APPROPRIATED PRIOR TO AND

INCLUDING THIS BIENNIUM TO ESTABLISH AND OPERATE THE NORTH CAROLINA LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY AND FOR THE COSTS TO THE AUTHORITY AND STATE AGENCIES TO SELECT A SITE FOR, AND TO LICENSE, A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY AS A CONDITION TO THE AUTHORITY RECEIVING STATE FUNDS, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Boyd-McIntyre and Wainwright:

H.B. 1130, A BILL TO BE ENTITLED AN ACT PROHIBITING DISCRIMINATION OR RETALIATION AGAINST LICENSED HEALTH CARE PROFESSIONALS WHO REPORT, IN GOOD FAITH, INSTANCES OF IMPROPER QUALITY OF PATIENT CARE, is referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

By Representative Nesbitt:

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF COLLECTION AGENCY, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

By Representatives R. Hunter, Hightower, and Warwick:

H.B. 1132, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO CONTAMINATE FOOD OR DRINK WITH ANY SUBSTANCE THAT WOULD RENDER A PERSON MENTALLY INCAPACITATED OR PHYSICALLY HELPLESS WITH THE INTENT OF COMMITTING A CRIME AGAINST THAT PERSON, is referred to the Committee on Judiciary I.

By Representative Wood (by request):

H.B. 1133, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miller:

H.B. 1134, A BILL TO BE ENTITLED AN ACT RELATING TO LOW-LEVEL RADIOACTIVE WASTE OR UTILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cansler, Davis, McComas, Sexton, and Thompson:

H.B. 1135, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING INITIATIVE AND INNOVATIONS OF STATE EMPLOYEES, is referred to the Committee on Public Employees and, if favorable, to the Committee on State Government.

By Representative Rayfield:

H.B. 1136, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATE BOARD OF COMMUNITY COLLEGE ELECTION AND TO REVISE THE ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE LOCAL BOARDS OF TRUSTEES FOR COMMUNITY COLLEGES, is referred to the Committee on Education.

By Representative Culp:

H.B. 1137, A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE WATER AND SOIL CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Dickson and Starnes:

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO ALLOW A TAXPAYER WHO PREVAILS IN A PROPERTY TAX APPEAL TO RECEIVE INTEREST ON ANY OVERPAYMENT OF TAX AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS PROPERTY TAX ISSUES, is referred to the Committee on Finance and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives R. Hunter, Baddour, Insko, Mosley, and Nichols:

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO RESERVE TEN PERCENT OF THE UNRESERVED CREDIT BALANCE IN THE

GENERAL FUND AT THE END OF EACH FISCAL YEAR TO THE CLEAN WATER REVOLVING LOAN AND GRANT FUND, is referred to the Committee on Appropriations.

By Representatives R. Hunter, Baddour, Hightower, and Mosley:

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, is referred to the Committee on Judiciary I.

By Representatives Thompson and Buchanan:

H.B. 1141, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INSTALLATION OF CERTAIN HEATING APPLIANCES IN MANUFACTURED HOUSING AND IN SINGLE FAMILY DWELLINGS, is referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

By Representatives Redwine and Thompson:

H.B. 1142, A BILL TO BE ENTITLED AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY, is referred to the Committee on Education and, if favorable, to the Committee on Judiciary II.

By Representative Decker:

H.B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMANENTLY DISABLED DRIVERS DO NOT HAVE TO BE MEDICALLY RECERTIFIED WHEN RENEWING HANDICAPPED PLACARDS OR REGISTRATION PLATES, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary II.

By Representatives Wood and Hightower:

H.B. 1144, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL ENTER RECORDS OF SPEEDING IN SCHOOL ZONES CHARGED AS VIOLATIONS OF LOCAL ORDINANCES, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representative Culpepper:

H.B. 1145, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RETENTION OF APPELLATE JUSTICES AND JUDGES OF THE GENERAL COURT OF JUSTICE BY VOTE OF THE PEOPLE, is referred to the Committee on Election Law and Campaign Reform.

By Representative Hardaway:

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO CREATE THE POSITION OF INSPECTOR GENERAL IN EACH STATE AGENCY TO REDUCE FRAUD, WASTE, AND ABUSE, AND TO ENACT A WHISTLE-BLOWER STATUTE TO PROTECT STATE EMPLOYEES WHO REPORT FRAUD, WASTE, AND ABUSE, is referred to the Committee on State Government and, if favorable, to the Committee on Judiciary II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 238,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE OWNERS AND OPERATORS OF ANIMAL WASTE MANAGEMENT SYSTEMS TO PARTICIPATE IN CERTAIN RESEARCH STUDIES DIRECTED BY THE GENERAL ASSEMBLY BY LIMITING ENFORCEMENT ACTIONS FOR UNINTENTIONAL AND NONNEGLIGENT VIOLATIONS OF WATER QUALITY STANDARDS THAT ARE IDENTIFIED IN THE COURSE OF THOSE RESEARCH STUDIES AND TO CLARIFY THE REPORTING DATES FOR THOSE RESEARCH STUDIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules Calendar, and Operations of the House.

S.B. 545, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CHANGE REGARDING THE DISPOSITION OF OBJECTS FROM THE COLLECTIONS OF THE MUSEUM OF NATURAL SCIENCES, is read the first time and referred to the Committee on State Government.

Committee Substitute for **S.B. 612,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES IN THE LAWS GOVERNING THE FINANCIAL OPERATIONS OF INSURANCE COMPANIES AND

THE ROLE OF THE DEPARTMENT OF INSURANCE IN MONITORING THE SOLVENCY OF INSURANCE COMPANIES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 667, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIMINAL OFFENSE OF STALKING, is read the first time and referred to the Committee on Judiciary II.

S.B. 719, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES, is read the first time and referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 727,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, BY CLARIFYING THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, BY INCREASING COURT FEES IN CRIMINAL CASES, AND BY INCREASING THE FEES FOR FILING CERTAIN DOCUMENTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 272,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations, Subcommittee on Education.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 115,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION,

passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 188,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 549, A BILL TO BE ENTITLED AN ACT TO EXCHANGE TRACTS OF LAND BETWEEN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND THE TOWN OF BILTMORE FOREST, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Cunningham, Goodwin, Gray, R. Hunter, Russell, and Wood - 6.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Daughtry, **H.B. 387,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

S.B. 291, A BILL TO BE ENTITLED AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION, with Amendment No. 1 pending, is before the Body.

Representative Creech withdraws Amendment No. 1.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 806,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CONOVER TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 718,** A BILL TO BE ENTITLED A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES, AND TO ALLOW THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 733,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, SHERIFF, OR COUNTY COMMISSIONER IN BEAUFORT COUNTY, IF THE VACATING MEMBER WAS ELECTED

AS THE NOMINEE OF A POLITICAL PARTY, THE APPOINTING AUTHORITY SHALL APPOINT FROM A LIST RECOMMENDED BY THAT POLITICAL PARTY IF TWO OR MORE NAMES ARE SUBMITTED ON A TIMELY BASIS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 798, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 740,** A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

Representative Beall offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

Committee Substitute for **H.B. 579,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE INITIAL ELECTION OF THE ALAMANCE-BURLINGTON BOARD OF EDUCATION SHALL BE HELD IN 1997, passes its second reading by electronic vote (59-50).

Representative Cole objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 211,** A BILL TO BE ENTITLED A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) PROVIDE FOR CONTINUING EDUCATION REQUIREMENTS FOR, AND THE EXPIRATION AND RENEWAL OF, CERTIFICATES ISSUED BY THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION; (2) INCLUDE CONSIDERATION OF THE COMPLIANCE HISTORY IN OTHER STATES OF AN APPLICANT FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT; (3) CLARIFY THE DISTINCTION BETWEEN A PUBLIC HEARING AND A PUBLIC

MEETING IN CONNECTION WITH AN APPLICATION FOR A WATER QUALITY PERMIT; (4) ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE ITS POWERS BY RESOLUTION RATHER THAN BY RULE; (5) CLARIFY THE ASSESSMENT OF CIVIL PENALTIES FOR CONTINUING VIOLATIONS OF AIR QUALITY STANDARDS; (6) REESTABLISH A SCHEDULE OF SIX-YEAR STAGGERED TERMS FOR THE MINING COMMISSION; AND (7) REESTABLISH A SCHEDULE OF TWO-YEAR STAGGERED TERMS FOR THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 684,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ALCOHOLIC BEVERAGE CONTROL COMMISSION SHALL CERTIFY THE SPECIAL ALCOHOLIC BEVERAGE CONTROL DISTRICTS IN WHICH ELECTIONS MAY BE CONDUCTED.

On motion of Representative Decker, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

INTRODUCTION OF PAGES

Pages for the week of April 21 are introduced to the membership. They are: Courtney Renee' Beck of Randolph; Melissa Beth Conn of Moore; Elizabeth Ryan Cousar of Anson; Mary-Katherine Hackney of Iredell; Steven Douglas Harrell of Perquimans; Benjamin Pierce Jenkins of Beaufort; Mindy Leigh Leonard of Duplin; Jonathan Gabriel Markley of Haywood; Robert Andrew McGlaughon of Onslow; Emily Ann McNamara of Moore; Clay Travis Miller of Forsyth; Meredith Anne Roberts of Iredell; Catherine Elizabeth Sherrill of Iredell; Rebecca Ruth Smith of Henderson; Hershal E. Spangler, III, of Cleveland; Jennifer Ann Sult of Cabarrus; Valisha Unell Summerfield of Wake; and Tiffany Tenielle Traxler of Forsyth.

On motion of Representative Morgan, seconded by Representative Rayfield, the House adjourns at 7:35 p.m. to reconvene April 22 at 2:00 p.m.

FORTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 22, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fox.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (110-0).

Representatives Culp, Dockham, and Miller are excused for a portion of the session.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 38, AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA.

ENROLLED BILLS

The following bill and resolution are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 291, AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION.

H.J.R. 683, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DR. JOY JOSEPH JOHNSON, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 6)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 23.

H.B. 754, A BILL TO BE ENTITLED AN ACT TO LEVY AN EXCISE TAX ON ILLICIT SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLICIT MIXED BEVERAGES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 23.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 538, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PROVIDING OF TRUTHFUL EMPLOYMENT REFERENCES IN ORDER TO PROMOTE SAFER WORKPLACES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

H.B. 790, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHECK TAKER OR ACCEPTOR SHALL NOT WRITE OR PRINT THE RACE OR GENDER ON THE CHECK OR DRAFT OF A CHECK PASSER, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Grady, and Preston, Co-Chairs, for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

S.B. 286, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Justus, Thompson, and Kiser, Co-Chairs, for the Permanent Subcommittee on Justice and Public Safety of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 183, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for April 23. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH PLAN PROPERTY INSURANCE STATUTES TO FURTHER CARRY OUT THE RECOMMENDATIONS THAT WERE MADE TO THE 1996 SESSION OF THE GENERAL ASSEMBLY BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE ISSUES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

H.B. 870, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE, CASWELL, AND ROCKINGHAM COUNTIES TO ARRANGE FOR THE WORKING OF NONVIOLENT MISDEMEANANTS UNDER THE SUPERVISION OF EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT OR EMPLOYEES OF A NONPROFIT, CHARITABLE CORPORATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 465, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT BE NOTIFIED WHEN THE PROSECUTOR TAKES A VOLUNTARY DISMISSAL OF THE CHARGES AGAINST THE DEFENDANT AND NEITHER THE DEFENDANT NOR THE DEFENDANT'S ATTORNEY IS PRESENT AT THE TIME OF THE DISMISSAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 23.

H.B. 907, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT ACTIONS INVOLVING CERTAIN FAMILY ISSUES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 935, A BILL TO BE ENTITLED AN ACT TO RECOGNIZE LLAMAS AS LIVESTOCK ANIMALS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 23.

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO ALLOW PRESCRIBED BURNING IN FORESTS BY FOREST LANDOWNERS UNDER CERTAIN CONDITIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 877, A BILL TO BE ENTITLED AN ACT TO ADD, FOR THE TOWN OF KURE BEACH ONLY, EROSION CONTROL MEASURES TO THE LIST OF PUBLIC ENTERPRISES THAT CITIES HAVE FULL AUTHORITY TO PROTECT AND REGULATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 23.

SUBCOMMITTEE REFERRALS

Representative Holmes, Senior Ranking Member and Co-Chair for the Standing Committee on Appropriations, refers **H.B. 560,** A BILL TO BE ENTITLED AN ACT DIRECTING THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR PARENTS WHO ARE PARTIES TO A CUSTODY OR VISITATION ACTION, to the Permanent Subcommittee on Justice and Public Safety.

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HIGHLANDS TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX;

H.B. 748, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE;

Committee Substitute for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE; and

Committee Substitute for **H.B. 843,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Insko and Hall (Co-Sponsors); Adams, Boyd-McIntyre, Culp, Goodwin, Hackney, Hightower, Sexton, and Wilkins:

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REGIONAL COORDINATOR POSITION FOR AREA THREE OF THE STATE SOIL AND WATER CONSERVATION DISTRICTS, is referred to the Committee on Appropriations.

By Representatives Decker and Adams:

H.B. 1148, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS AND ESTABLISH GUIDELINES FOR TEEN COURT PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Mitchell, Black, Blue, and Weatherly:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CENTER FOR COMMUNITY SELF-HELP TO FURTHER A STATEWIDE PROGRAM OF LENDING FOR HOME OWNERSHIP, is referred to the Committee on Appropriations.

By Representatives Brown and Mitchell:

H.B. 1150, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FOOD BANK OF NORTHWEST NORTH CAROLINA, INC., FOR CAPITAL IMPROVEMENTS TO ITS FOOD STORAGE AND DISTRIBUTION FACILITY, is referred to the Committee on Appropriations.

By Representatives Arnold, Mercer, and Tolson:

H.B. 1151, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE EASTERN NORTH CAROLINA LIVESTOCK ARENA, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representatives Rayfield, Bonner, Bowie, Brawley, Brown, Cansler, Capps, Dickson, Eddins, Grady, Gulley, Hardy, Morris, Reynolds, Saunders, Sexton, and Watson:

H.J.R. 1152, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 81,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, is returned for concurrence in Senate committee substitute and referred to the Committee on Human Resources.

S.B. 464, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN, BUT WHO CANNOT BE SERVED BY THE PUBLIC OFFICER AFTER EXERCISING REASONABLE DILIGENCE, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Judiciary II.

S.B. 479, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REQUIRING THE REGISTER OF DEEDS TO DISTRIBUTE INFORMATION ON THE DANGERS OF DRUG AND ALCOHOL ABUSE DURING PREGNANCY WITH EACH MARRIAGE LICENSE, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

S.B. 550, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 562, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF THE PROCESSING FEE CHARGED FOR RETURNED

CHECKS, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

S.B. 583, A BILL TO BE ENTITLED AN ACT TO REQUIRE PHYSICIANS TO COMPLETE ONE HUNDRED FIFTY HOURS OF CONTINUING EDUCATION, TO REQUIRE PHYSICIANS TO REGISTER ANNUALLY WITH THE NORTH CAROLINA MEDICAL BOARD AND TO MAKE A TECHNICAL CHANGE IN THE PRACTICE OF MEDICINE ACT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 648, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 656, A BILL TO BE ENTITLED AN ACT TO ALLOW HILLSBOROUGH TO CONTRACT FOR INSPECTION SERVICES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 884, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A STATE INFRASTRUCTURE BANK, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 740,** A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

Having voted with the prevailing side, Representative Beall moves that the vote by which the bill passed its second reading be reconsidered. The motion carries.

Having voted with the prevailing side, Representative Beall moves that the vote by which Amendment No. 1 passed, be reconsidered. The motion carries.

Representative Beall withdraws Amendment No. 1.

The bill, now in its original form, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 579,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE INITIAL ELECTION OF THE ALAMANCE-BURLINGTON BOARD OF EDUCATION SHALL BE HELD IN 1997, passes its third reading, by electronic vote (73-45), and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 299,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM VETERANS, AND TO PROVIDE THAT PROCEEDS FROM THE ADDITIONAL FEE FOR CERTAIN VETERAN SPECIAL PLATES BE USED TO SUPPORT THE NORTH CAROLINA VETERANS HOME, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Creech, Fitch, Hensley, Insko, and McAllister - 5.

Excused absences: None.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 333,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ATTORNEY-IN-FACT MAY MAKE GIFTS, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 432, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LESSONS LEARNED FROM HURRICANE FRAN WITH RESPECT TO THE MOBILIZATION OF THE NORTH CAROLINA NATIONAL GUARD, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CRUELTY TO ANIMALS.

On motion of Representative Neely, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II by electronic vote (100-18).

H.B. 1050, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 615, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF APPOINTING THE PUBLIC DEFENDER IN DISTRICT 16B, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 646, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO ESTABLISH A PRODUCTION MONEY SECURITY INTEREST IN CROPS THAT HAS PRIORITY OVER OTHER SECURITY INTERESTS, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for **S.B. 286,** A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM.

Representative Fox requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Grady calls the previous question on the passage of the bill and the call is sustained by electronic vote (85-25).

The bill passes its second reading by electronic vote (79-33).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Allred for the Committee on Ways and Means:

H.B. 851, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE FOR THE TOWN OF CAPE CARTERET AND AREAS WITHIN THE TOWN'S EXTRATERRITORIAL PLANNING JURISDICTION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 905, A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT COMMUNITY COLLEGES ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of the Chair, the committee substitute bill is re-referred to the Committee on Appropriations, Subcommittee on Education. The original bill is placed on the Unfavorable Calendar.

H.B. 945, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PART-TIME BACCALAUREATE DEGREE STUDENTS ARE ELIGIBLE FOR NURSING SCHOLARSHIP LOANS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AUDIT PROCESS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 23.

By Representative McComas for the Permanent Subcommittee on Public Utilities:

H.B. 26, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE LP GAS STATUTE, reported to the Standing Committee on Commerce, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill, and recommend that the proposed committee substitute bill be re-referred to the Committee on Finance.

H.B. 495, A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE ACTUAL COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION, reported to the Standing Committee on Commerce, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill, and

recommend that the proposed committee substitute bill be re-referred to the Committee on Finance.

SUSPENSION OF RULE

Pursuant to Rule 28(e), the Speaker gives permission for Standing Committees and Permanent Subcommittees to meet on Fridays when the House is not in session.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 199,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO LIENS DUE MEDICAL PROVIDERS FOR MEDICAL SERVICES PROVIDED, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Barbee, the House adjourns at 3:40 p.m. to reconvene April 23 at 3:00 p.m.

FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 23, 1997

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Bonner.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (111-0).

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 291, AN ACT PROVIDING FOR NONPARTISAN ELECTIONS OF THE JOHNSTON COUNTY BOARD OF EDUCATION. (S.L. 1997-32)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 176, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES FOR EQUINE ACTIVITIES AND TO PROVIDE QUALIFIED IMMUNITY FROM LIABILITY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 448, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 534, A BILL TO BE ENTITLED AN ACT REGARDING THE CONTRACTUAL OBLIGATIONS OF SPOUSES, THE TRANSFER OF PROPERTY AND INCOME WITHHOLDING TO ENFORCE SUPPORT ORDERS, AND THE AWARDING OF ALIMONY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 581, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CIVIL ACTION REMEDY FOR PERSONS WHO ARE SEXUALLY

EXPLOITED BY THEIR PSYCHOTHERAPIST, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 611, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 915, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FIREFIGHTERS WHO ENGAGE IN SOME FIRE INSPECTION ACTIVITIES AS A SECONDARY RESPONSIBILITY ARE NOT COVERED BY THE LAW PROHIBITING CONFLICTS OF INTEREST BY INSPECTION DEPARTMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 954, A BILL TO BE ENTITLED AN ACT TO AMEND EXISTING LAW PERTAINING TO SESSIONS OF THE SUPREME COURT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 997, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT NOTARIES PUBLIC OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 485,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL

TRUST FUNDS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

Senate Committee Substitute for **H.B. 429,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAYNESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, with recommendation that the House concur.

The Senate committee substitute bill is placed on the Calendar of April 24 for concurrence.

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 653, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 831, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF YANCEY COUNTY BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 844, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO RESTRICT ANNEXATION OF THE CITY BEYOND A LINE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 893, A BILL TO BE ENTITLED AN ACT TO ENABLE BURKE AND MCDOWELL COUNTIES TO ESTABLISH AN INDUSTRIAL AIRPARK AUTHORITY, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND COUNCIL OF THE TOWN OF STONEVILLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 966, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONS IN FLAG AND LIGHT COLORS FOR EXTENDED TRUCKLOADS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 967, A BILL TO BE ENTITLED AN ACT TO PROVIDE SELECTION OF EITHER OF THE TWO NEAREST ROUTES TO A NON-LIGHT-TRAFFIC ROAD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ANNEXATION IN CALDWELL AND DAVIDSON COUNTIES BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THOSE COUNTIES BE APPROVED BY REFERENDUM, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of April 24. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 643, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 656, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF MOORESVILLE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 681, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 695, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 753, A BILL TO BE ENTITLED AN ACT TO MOVE A PARCEL OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ABERDEEN AND TO THE TOWN OF SOUTHERN PINES, AND TO ANNEX A PARCEL OF PROPERTY TO THE TOWN OF ABERDEEN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 865, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SNEADS FERRY, SUBJECT TO A REFERENDUM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

S.B. 363, A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Davis for the Permanent Subcommittee on Business and Labor:

H.B. 45, A BILL TO BE ENTITLED AN ACT TO ADD A DOWNTOWN DEVELOPMENT REPRESENTATIVE TO THE MEMBERSHIP OF THE BUILDING CODE COUNCIL, reported to the Standing Committee on Commerce, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative Allred for the Committee on Ways and Means:

H.B. 531, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF THE PITT COUNTY ABC BOARD FROM THREE TO FIVE MEMBERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 710, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COST LIMIT ON CONSTRUCTION WORK UNDERTAKEN BY THE CITY OF LAURINBURG USING FORCE ACCOUNT QUALIFIED LABOR, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 772, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SHALLOTTE TO AUTHORIZE THE TOWN TO ENFORCE ORDINANCES AS PROVIDED IN THE GENERAL LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 773, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, with a favorable report.

On motion of the Chair, pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

H.B. 779, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 791, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DURHAM PUBLIC SCHOOLS TO DISPOSE OF CERTAIN REAL PROPERTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 792, A BILL TO BE ENTITLED AN ACT REPEALING SECTION 116 OF THE CHARTER OF THE CITY OF DURHAM CONCERNING THE INSPECTION OF CITY RECORDS IN THE PRESENCE OF THE CITY MANAGER AND THE CITY CLERK, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 828, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILSON TO INCREASE THE SETTLEMENT AUTHORITY OF THE CITY MANAGER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 833, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE THE CITY TO SERVE COMPLAINTS OR ORDERS IN HOUSING CODE CASES BY REGULAR MAIL IN ADDITION TO CERTIFIED OR REGISTERED MAIL, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 834, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILMINGTON TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 881, A BILL TO BE ENTITLED AN ACT TO AMEND THE DURHAM CITY CHARTER TO PERMIT THE APPOINTMENT OF A BOARD OF ADJUSTMENT WITH MORE THAN FIVE MEMBERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 885, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ALAMANCE COUNTY SCHOOL ADMINISTRATIVE UNIT TO PICK UP AND DISCHARGE PUPILS AT DAY CARE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 892, A BILL TO BE ENTITLED AN ACT TO GIVE THE VOTERS OF BEAUFORT COUNTY THE SAME RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY COUNCIL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

S.B. 428, A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER PLANNING COUNCIL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 315, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR THE OPEN, FAIR, AND NONPOLITICAL SELECTION OF THE MOST QUALIFIED PERSONS FOR STATE GOVERNMENT EMPLOYMENT BY LIMITING POLITICAL HIRINGS, TO PROVIDE FOR BROADER PROTECTIONS FOR STATE EMPLOYEES REPORTING MISMANAGEMENT AND IMPROPER GOVERNMENT ACTIVITIES, AND TO PROVIDE FOR THE REPORTING OF CERTAIN HIRINGS AND OTHER MATTERS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 989, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR THE SCHOOL ADMINISTRATOR'S EXAM, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELEVEN MONTHS OF EMPLOYMENT FOR TEACHERS, with a

favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 112, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFETY ZONE AROUND PUBLIC AND PRIVATE SCHOOLS IN CAMDEN COUNTY BY PROHIBITING HUNTING OR THE DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY OF PUBLIC ROADS WITHIN ONE-HALF MILE OF A SCHOOL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 233, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM NEAR AN ELEMENTARY OR SECONDARY SCHOOL IN VANCE COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Weatherly for the Committee on State Government:

H.B. 316, A BILL TO BE ENTITLED AN ACT MODIFYING THE MANNER OF DESIGNATING POSITIONS AS EXEMPT FROM THE STATE PERSONNEL ACT, REQUIRING THE APPROVAL OF THE GENERAL ASSEMBLY BEFORE CERTAIN POSITIONS MAY BE DESIGNATED AS POLICY-MAKING CONFIDENTIAL POSITIONS EXEMPT FROM THE STATE PERSONNEL ACT, AND CHANGING THE TREATMENT OF POLICY-MAKING CONFIDENTIAL EMPLOYEES RELATIVE TO COVERAGE UNDER CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

H.B. 430, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 476, A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES FOR VITAL RECORDS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 522, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FREE DRIVERS, HUNTING, AND FISHING LICENSES FOR CERTAIN DISABLED VETERANS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 635, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 644, A BILL TO BE ENTITLED AN ACT TO RESTORE THE NAME OF HALIFAX STREET TO A STATE GOVERNMENT MALL THAT OCCUPIES ITS FORMER ROUTE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 745, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE SHALL PAY THE COST OF ANY REQUIRED LEGAL ADVERTISING IT REQUIRES COUNTIES TO PLACE IN CONNECTION WITH ANY REFERENDUM PLACED ON THE BALLOT BY THE GENERAL ASSEMBLY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 972, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY RECOGNIZE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE HALIWA TRIBE AS THE HALIWA SAPONI TRIBE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 999, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE SOIL AND WATER CONSERVATION COMMISSION TO CONDUCT INSPECTIONS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Judiciary II.

On motion of Representative Brown, Committee Amendment No. 1 is adopted.

The bill, as amended, is ordered engrossed and re-referred to the Committee on Judiciary II.

SUBCOMMITTEE REFERRALS

Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Standing Committee on Commerce, refer **H.B. 1125,** A BILL TO BE ENTITLED AN ACT TO REVISE THE CLASSIFICATION OF LENDERS WHO MAY CONTRACT FOR THE PAYMENT OF CHARGES

IN CERTAIN CIRCUMSTANCES, to the Permanent Subcommittee on Financial Institutions.

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers **H.B. 490,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TRUST FUND TO PROVIDE FUNDING FOR THE EARLY CHILDHOOD INITIATIVES PROGRAM, to the Permanent Subcommittee on Human Resources.

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

Committee Substitute for **H.B. 457,** A BILL TO BE ENTITLED AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST;

H.B. 777, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION OR INITIATE ANNEXATION BY RESOLUTION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF KINGS MOUNTAIN;

H.B. 778, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO EXTEND ITS EXTRA-TERRITORIAL JURISDICTION TWO MILES FROM ITS CITY LIMITS;

H.B. 810, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO AUTHORIZE EDGECOMBE COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX;

H.B. 832, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF NEWLAND IN AVERY COUNTY AND THE TOWN OF SPRUCE PINE IN MITCHELL COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES; and

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Culp:

H.J.R. 1153, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE TOWN OF FRANKLINVILLE AND HONORING THE MEMORY OF JESSE FRANKLIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 877, A BILL TO BE ENTITLED AN ACT TO ADD, FOR THE TOWN OF KURE BEACH ONLY, EROSION CONTROL MEASURES TO THE LIST OF PUBLIC ENTERPRISES THAT CITIES HAVE FULL AUTHORITY TO PROTECT AND REGULATE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 851,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE FOR THE TOWN OF CAPE CARTERET AND AREAS WITHIN THE TOWN'S EXTRATERRITORIAL PLANNING JURISDICTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 299,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM VETERANS, AND TO PROVIDE THAT PROCEEDS FROM THE ADDITIONAL FEE FOR CERTAIN VETERAN SPECIAL PLATES BE USED TO SUPPORT THE NORTH CAROLINA VETERANS HOME, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Hensley.

Excused absences: None.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: Representative Hall.

Excused absences: None.

H.B. 754, A BILL TO BE ENTITLED AN ACT TO LEVY AN EXCISE TAX ON ILLICIT SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLICIT MIXED BEVERAGES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

Representative Warwick states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (115-0).

House Committee Substitute for **S.B. 286,** A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM.

Representative Berry offers Amendment No. 1 which fails of adoption by electronic vote (55-62).

The bill passes its third reading, by electronic vote (106-12), and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 312, A BILL TO BE ENTITLED AN ACT UPDATING THE STATUTORY MORTALITY TABLES USED AS EVIDENCE TO ESTABLISH THE EXPECTANCY OF CONTINUED LIFE, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 538,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PROVIDING OF TRUTHFUL EMPLOYMENT REFERENCES IN ORDER TO PROMOTE SAFER WORKPLACES.

Representative Miller offers Amendment No. 1 which fails of adoption by electronic vote (47-72).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (84-34).

The bill passes its second reading by electronic vote (91-28).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Representative Morgan moves that Rule 41(b) be suspended in order that the bill might have its third reading today. The motion fails of a two-thirds majority, by electronic vote (68-47), and the bill remains on the Calendar.

Committee Substitute for **H.B. 183,** A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 465, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT BE NOTIFIED WHEN THE PROSECUTOR TAKES A VOLUNTARY DISMISSAL OF THE CHARGES AGAINST THE DEFENDANT AND NEITHER THE DEFENDANT NOR THE DEFENDANT'S ATTORNEY IS PRESENT AT THE TIME OF THE DISMISSAL, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

Representative Warwick states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (118-0).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 935, A BILL TO BE ENTITLED AN ACT TO RECOGNIZE LLAMAS AS LIVESTOCK ANIMALS, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AUDIT PROCESS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., passes its second reading, by electronic vote (76-41), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 929, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A PROTECTIVE ORDER; TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS; AND TO IMPOSE A CRIMINAL PENALTY FOR VIOLATION OF A PROTECTIVE ORDER, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 523, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONFISCATED WEAPONS MAY BE KEPT FOR DEPARTMENTAL USE BY LAW ENFORCEMENT OFFICERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 584, A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE ATTEMPTING TO ELUDE ARREST STATUTES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 222, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ISSUE OF WHETHER A DEFENDANT IS A HABITUAL FELON OR A VIOLENT HABITUAL FELON SHALL BE DETERMINED BY THE TRIAL JUDGE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment, submit the following bill with a favorable report for introduction:

A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE FISHERIES REFORM ACT OF 1997.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1161,** and placed on the Calendar of April 24 for its first reading.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 224, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO APPROVE THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 771, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF A SANITARY DISTRICT WITH FOUR-YEAR TERMS THAT ARE NOT STAGGERED TO PROVIDE FOR STAGGERED TERMS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 24.

H.B. 900, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE WATER QUALITY OF THE SURFACE WATERS OF THIS STATE BY FURTHER LIMITING THE AMOUNT OF NITROGEN THAT CERTAIN LARGE FACILITIES DISCHARGE TO NUTRIENT SENSITIVE WATERS WHERE NITROGEN IS A NUTRIENT OF CONCERN, TO AUTHORIZE THE USE OF UP TO TWENTY-FIVE PERCENT OF THE FUNDS IN THE CLEAN WATER MANAGEMENT TRUST FUND FOR A PORTION OF THE COSTS TO LOCAL GOVERNMENTS OF MODIFYING EXISTING FACILITIES TO SATISFY THIS STRICTER LIMIT, AND TO AUTHORIZE THE USE OF THE CLEAN WATER MANAGEMENT FUND FOR LOANS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

By Representative Weatherly for the Committee on State Government:

H.B. 480, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 752, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE AGENCIES TO ISSUE DUPLICATE LICENSES WITHOUT CHARGE WHEN THE ORIGINAL LICENSES ARE DESTROYED OR STOLEN DURING THE COMMISSION OF A CRIME, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 975, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF FUNDS BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FOR ANNUAL BONUSES FOR ENLISTED MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD WHO HAVE COMPLETED THEIR INITIAL SIX YEAR TERM OF SERVICE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative McComas for the Permanent Subcommittee on Health of the Standing Committee on Insurance, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 74, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INDIVIDUAL INCOME TAX CREDIT FOR PREMIUMS PAID ON LONG-TERM CARE INSURANCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 515, A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 307, A BILL TO BE ENTITLED AN ACT RELATING TO ENVIRONMENTAL LAWS IN NORTH CAROLINA, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 506, A BILL TO BE ENTITLED AN ACT RELATING TO HERTFORD COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair and pursuant to Rule 38, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 631, A BILL TO BE ENTITLED AN ACT RELATING TO FORSYTH COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 898, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW AND THE OPEN MEETINGS LAW TO CLARIFY PROVISIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Miner and without objection, **H.B. 27,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE ESTABLISHMENT OF PYRAMID DISTRIBUTION PLANS, is withdrawn from the Committee on Commerce and re-referred to the Committee on Judiciary II.

On motion of Representative Miner and without objection, **H.B. 499,** A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS, is withdrawn from the Committee on Commerce and re-referred to the Committee on Judiciary I.

On motion of Representative Dockham and without objection, **H.B. 987,** A BILL TO BE ENTITLED AN ACT TO STIMULATE A SUBSTANTIAL INCREASE IN VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA BY ALLOWING AN INSURANCE PREMIUMS TAX CREDIT FOR THESE INVESTMENTS, is withdrawn from the Committee on Insurance and re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 904,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE SHALL BE IMPOSED FOR A SECOND OR SUBSEQUENT CONVICTION OF A CLASS B1 FELONY IF THERE ARE NO MITIGATING CIRCUMSTANCES AND THE VICTIM IS THIRTEEN YEARS OF AGE OR YOUNGER, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Judiciary I.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 1022,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO TRANSFER CREDITABLE SERVICE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE

RETIREMENT SYSTEM, OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

On motion of Representative Morgan, seconded by Representative Hensley, the House adjourns at 5:35 p.m. to reconvene April 24 at 3:00 p.m.

FIFTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 24, 1997

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Starnes.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-1).

Representative Sexton requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (93-1).

Leaves of absence are granted Representatives Blue, Crawford, and Rogers for today. Representative Morgan is excused for a portion of the session.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 740, AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 286, AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 178, AN ACT TO INCREASE FROM ONE YEAR TO TWO YEARS THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS. (S.L. 1997-33)

S.B. 187, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LAWS ON ADMINISTRATIVE PROCEDURE. (S.L. 1997-34)

H.B. 409, AN ACT CLARIFYING WHERE APPEALS FROM AGRICULTURAL EMPLOYERS WILL BE HEARD. (S.L. 1997-35)

H.B. 266, AN ACT TO ALLOW PRIVATE PASSENGER AND PRIVATE PROPERTY-HAULING VEHICLES WEIGHING UP TO SIX THOUSAND POUNDS TO BE ISSUED "FIRST IN FLIGHT" PLATES AND TO CLARIFY THAT THE DIVISION OF MOTOR VEHICLES MAY ISSUE PERSONALIZED COMMERCIAL LICENSE PLATES. (S.L. 1997-36)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Shubert and Russell, Co-Chairs, for the Committee on Education:

H.B. 379, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS, with a favorable report as to

committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

The committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

H.B. 458, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER SCHOOL ACT OF 1996 TO ELIMINATE THE REQUIREMENT THAT CHARTER SCHOOLS BE OPERATED BY PRIVATE NONPROFIT CORPORATIONS AND TO MAKE SUCH OPERATION OPTIONAL, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

H.B. 483, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

H.B. 977, A BILL TO BE ENTITLED AN ACT TO ALLOW PARENTS TO ELECT THE PARENTS WHO SERVE ON SCHOOL IMPROVEMENT TEAMS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN MEMBERS OF THE MILITARY ARE CLASSIFIED AS NORTH CAROLINA RESIDENTS AND SO QUALIFY TO PAY IN-STATE TUITION AT STATE INSTITUTIONS OF HIGHER EDUCATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ives for the Permanent Subcommittee on Families of the Standing Committee on Human Resources, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 896, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF/CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 433, A BILL TO BE ENTITLED AN ACT TO EXEMPT A SWORN LAW ENFORCEMENT OFFICER OR A RETIRED SWORN LAW ENFORCEMENT OFFICER FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR A PERMIT WITHIN ONE YEAR OF RETIREMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 28.

H.B. 470, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF COUNTY MEDICAL INVESTIGATORS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 28.

H.B. 507, A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 855, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 28.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 747, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, SUBJECT TO A REFERENDUM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

By Representatives C. Wilson and Justus, Co-Chairs, for the Committee on Election Law and Campaign Reform:

H.B. 578, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DESIGNATED SEATS FOR ELECTION IN MULTIMEMBER DISTRICTS OF THE HOUSE OF REPRESENTATIVES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 1032, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADOPTION OF RULES THAT AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SANITARY LANDFILLS THAT PROVIDE FOR AN EQUALLY PROTECTIVE LANDFILL LINER, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 456, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REQUIRING THE REGISTER OF DEEDS TO DISTRIBUTE INFORMATION ON THE DANGERS OF DRUG AND ALCOHOL ABUSE DURING PREGNANCY WITH EACH MARRIAGE LICENSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A DENTAL EXAMINATION PILOT PROGRAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 28.

SUBCOMMITTEE REFERRALS

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers Committee Substitute for **H.B. 351,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, to the Permanent Subcommittee on Education.

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS;

H.B. 653, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM;

H.B. 773, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND;

H.B. 779, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX; and

H.B. 893, A BILL TO BE ENTITLED AN ACT TO ENABLE BURKE AND MCDOWELL COUNTIES TO ESTABLISH AN INDUSTRIAL AIRPARK AUTHORITY.

Representatives Aldridge and Howard, Co-Chairs, for the Standing Committee on Human Resources, refer the following bills to the Permanent Subcommittee on Families:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS UNLAWFUL TO DISSEMINATE CERTAIN MATERIALS TO A MINOR WITHOUT WRITTEN PARENTAL CONSENT AND TO PROVIDE THAT CRIMINAL AND CIVIL PENALTIES MAY BE IMPOSED FOR SUCH VIOLATIONS; and

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXEMPTION FROM ALL CHILD DAY CARE HOME REGULATION FOR NEIGHBORS HELPING NEIGHBORS WITH CHILD CARE.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Dockham for the Committee on Insurance:

Committee Substitute for **H.B. 434,** A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 926, A BILL TO BE ENTITLED AN ACT PERTAINING TO PREFERRED PROVIDER CONTRACTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 28.

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE LICENSING OF CERTAIN SUBSIDIARIES OF INSURERS OWNED OR CONTROLLED BY FOREIGN GOVERNMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 28.

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 28.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Black, Aldridge, Alexander, Arnold, Baddour, Beall, Bonner, Bowie, Braswell, Brawley, Brown, Buchanan, Cole, Culpepper, Davis, Dedmon, Dickson, Earle, Easterling, Fox, Gamble, Goodwin, Grady, Hackney, Hiatt, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Luebke, Mercer, Michaux, Miller, Moore, Mosley, Nesbitt, Oldham, Owens, Preston, Ramsey, Redwine, Rogers, Russell, Saunders, Smith, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, and Yongue:

H.B. 1154, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF SAFE SCHOOL PLANS AND TO HOLD PRINCIPALS ACCOUNTABLE FOR THE SAFETY OF SCHOOLS, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Thompson; Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary,

Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue:

H.J.R. 1155, A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morris:

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE THE "MARCH OF DIMES" TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO MARCH OF DIMES BIRTH DEFECTS FOUNDATION, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Morris, Cansler, and Nichols:

H.B. 1157, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTES OF LIMITATIONS FOR TAX REFUNDS, TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, AND TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES, is referred to the Committee on Finance.

By Representatives R. Hunter and Yongue:

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANTIQUE AIRPLANES SHALL BE VALUED AT NO MORE

THAN FIVE THOUSAND DOLLARS FOR PROPERTY TAX PURPOSES, is referred to the Committee on Finance.

By Representatives Smith, Hill, Redwine, Warwick, Wright, and Yongue:

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT LOCAL MOSQUITO CONTROL DISTRICTS AND OTHER UNITS OF LOCAL GOVERNMENT ENGAGED IN MOSQUITO CONTROL, is referred to the Committee on Appropriations.

By Representative Gray:

H.R. 1160, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR FILLING A VACANCY ON THE BOARD OF GOVERNORS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By House Committee on Environment:

H.B. 1161, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE FISHERIES REFORM ACT OF 1997, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLERKS TO ALLOCATE SPOUSE'S AND CHILDREN'S YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE, is read the first time and referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

S.B. 264, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED LIABILITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE, is read the first time and referred to the Committee on Judiciary II.

S.B. 356, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON

SATELLITE ANNEXATIONS, is read the first time and referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

S.B. 465, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH FISCAL POLICIES FOR ENGINEERING AND DESIGN CONTRACTS WHICH WILL PROMOTE ENGINEERING AND DESIGN QUALITY AND ENSURE MAXIMUM COMPETITION AMONG COMPETING PROFESSIONAL FIRMS, is read the first time and referred to the Committee on Transportation.

S.B. 515, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO PROVIDE INFORMATION PRIOR TO LITIGATION REGARDING POLICY PROVISIONS AND POLICY LIMITS UPON WRITTEN REQUEST AND TO GIVE AN INSURER WHO PROVIDES SUCH INFORMATION THE OPTION OF INITIATING MEDIATION WITH THE PERSON WHO SOUGHT THE INFORMATION, is read the first time and referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 524,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CONOVER TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 531, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE GOVERNMENT AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS THAT CALLERS MUST GO THROUGH BEFORE CONNECTING TO A PERSON AND TO ALLOW ACCESS TO AN ATTENDANT OR OPERATOR ON THE FIRST MENU, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 553,** A BILL TO BE ENTITLED AN ACT ALLOWING COUNTY BOARDS OF ELECTIONS TO USE PAPER BALLOTS IN SECOND PRIMARY ELECTIONS WHERE VOTING SYSTEMS ARE USED IN THE FIRST PRIMARY ELECTION, is read the first time and referred to the Committee on Election Law and Campaign Reform.

S.B. 578, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is read the first time and referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

S.B. 615, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF KERNERSVILLE TO LEVY A MOTOR VEHICLE TAX OF UP TO TEN DOLLARS, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

S.B. 677, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ACT ESTABLISHING A SUPPLEMENTARY PENSION FUND FOR FIREMEN IN THE CITY OF ALBEMARLE, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 713, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION OF SUPPLEMENTAL RETIREMENT BENEFITS FOR FIREMEN IN THE CITY OF RALEIGH, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 429,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAYNESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY.

On motion of Representative Beall, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (111-0), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Kinney and Smith - 2.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

H.B. 643, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Kinney and Smith - 2.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

H.B. 695, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Kinney and Smith - 2.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

Committee Substitute for **H.B. 865,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SNEADS FERRY, SUBJECT TO A REFERENDUM, AND CONCERNING ZONING BY THE TOWN OF PELETIER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Kinney and Smith - 2.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 72, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

BILL TEMPORARILY DISPLACED

On motion of Representative Thompson, Committee Substitute No. 2 for **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ANNEXATION IN CALDWELL COUNTY BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THAT COUNTY BE APPROVED BY REFERENDUM, is temporarily displaced.

CALENDAR (continued)

Committee Substitute for **H.B. 656,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS OF THE WATERSHED PROTECTION ACT AS THEY APPLY TO SCHOOLS, TO MODIFY

THE LAWS RELATING TO SATELLITE ANNEXATION WHICH APPLY TO MOORESVILLE, AND TO LIMIT THE SPEED OF BOATS ON LAKE NORMAN.

Representative Mitchell offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McComas, McCombs, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 87.

Voting in the negative: Representatives Adams, Alexander, Baddour, Black, Church, Cunningham, Fitch, Gamble, Goodwin, Hackney, Hensley, H. Hunter, Insko, Luebke, McAllister, McCrary, Michaux, Miller, Mosley, Saunders, Wainwright, Warner, Womble, and Wright - 24.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

Committee Substitute No. 2 for **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ANNEXATION IN CALDWELL COUNTY BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THAT COUNTY BE APPROVED BY REFERENDUM.

Representative Thompson offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black,

Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Gray.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

H.B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND COUNCIL OF THE TOWN OF STONEVILLE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 710,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COST LIMIT ON CONSTRUCTION WORK UNDERTAKEN BY THE CITY OF LAURINBURG USING FORCE ACCOUNT QUALIFIED LABOR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 772, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SHALLOTTE TO AUTHORIZE THE TOWN TO ENFORCE ORDINANCES AS PROVIDED IN THE GENERAL LAW, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 881, A BILL TO BE ENTITLED AN ACT TO AMEND THE DURHAM CITY CHARTER TO PERMIT THE APPOINTMENT OF A

BOARD OF ADJUSTMENT WITH MORE THAN FIVE MEMBERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 885, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ALAMANCE COUNTY SCHOOL ADMINISTRATIVE UNIT TO PICK UP AND DISCHARGE PUPILS AT DAY CARE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 828, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILSON TO INCREASE THE SETTLEMENT AUTHORITY OF THE CITY MANAGER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 892,** A BILL TO BE ENTITLED AN ACT TO GIVE THE VOTERS OF BEAUFORT COUNTY THE SAME RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY COUNCIL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes,

Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Gamble.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

H.B. 754, A BILL TO BE ENTITLED AN ACT TO LEVY AN EXCISE TAX ON ILLICIT SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLICIT MIXED BEVERAGES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Blue, Crawford, and Rogers - 3.

Committee Substitute for **H.B. 538,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PROVIDING OF TRUTHFUL EMPLOYMENT REFERENCES IN ORDER TO PROMOTE SAFER WORKPLACES.

Representative Luebke offers Amendment No. 2 which fails of adoption by electronic vote (47-63).

The bill passes its third reading, by electronic vote (90-22), and is ordered sent to the Senate.

Committee Substitute for **H.B. 452,** A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH PLAN PARTICIPATION FORMULA AND REVISE OTHER STATUTES RELATED TO THE BEACH PLAN, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Weatherly and without objection, Committee Substitute for **H.B. 635,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

CALENDAR (continued)

Committee Substitute for **H.B. 611,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE, TO EXEMPT THE COMPENSATION FROM STATE INCOME TAX, AND TO PROVIDE FOR THE INDUSTRIAL COMMISSION TO HANDLE THE CLAIMS OF THOSE PERSONS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 997, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT NOTARIES PUBLIC OBTAIN THE RECOMMENDATION OF A PUBLICLY ELECTED OFFICIAL, passes its second reading, by electronic vote (65-47), and there being no objection is read a third time.

Representative Hightower requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (66-47).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 966, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONS IN FLAG AND LIGHT COLORS FOR EXTENDED TRUCKLOADS.

Representative McComas requests that he be excused from voting on this bill because of a professional conflict, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 967, A BILL TO BE ENTITLED AN ACT TO PROVIDE SELECTION OF EITHER OF THE TWO NEAREST ROUTES TO A NON-LIGHT-TRAFFIC ROAD.

Representative McComas requests that he be excused from voting on this bill because of a professional conflict, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 315,** A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR THE OPEN, FAIR, AND NONPOLITICAL SELECTION OF THE MOST QUALIFIED PERSONS FOR STATE GOVERNMENT EMPLOYMENT BY LIMITING POLITICAL HIRINGS, TO PROVIDE FOR BROADER PROTECTIONS FOR STATE EMPLOYEES REPORTING MISMANAGEMENT AND IMPROPER GOVERNMENT ACTIVITIES, AND TO PROVIDE FOR THE REPORTING OF CERTAIN HIRINGS AND OTHER MATTERS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, passes its second reading, by electronic vote (106-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 522, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

Representative Boyd-McIntyre requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 929,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A PROTECTIVE ORDER; TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS; AND TO IMPOSE A CRIMINAL PENALTY FOR VIOLATION OF A PROTECTIVE ORDER.

On motion of Representative Morris, consideration of the bill is postponed until April 28.

Committee Substitute for **H.B. 584,** A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE ATTEMPTING TO ELUDE ARREST STATUTES.

Representative Ellis moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Ellis withdraws his motion.

Representative Daughtry moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II. The motion fails by electronic vote (46-62).

Representative Capps moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Sutton calls the previous question on the motion and the call is sustained by electronic vote (76-34).

The motion to re-refer fails by electronic vote (44-65).

Representative Creech moves that the bill be withdrawn from the Calendar and placed on the Calendar of April 28. The motion fails by electronic vote (53-58).

Representative Sutton calls the previous question on the passage of the bill and the call is sustained by electronic vote (82-29).

The bill passes its second reading by electronic vote (96-15).

Representative Ellis objects to the third reading. The bill remains on the Calendar.

H.B. 771, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF A SANITARY DISTRICT WITH FOUR-YEAR TERMS THAT ARE NOT STAGGERED TO PROVIDE FOR STAGGERED TERMS, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 898,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC RECORDS LAW AND THE OPEN MEETINGS LAW TO CLARIFY PROVISIONS, passes its second reading, by electronic vote (103-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 352,** A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is read the first time and referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 464, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Human Resources.

The committee substitute bill is re-referred to the Committee on Human Resources. The original bill is placed on the Unfavorable Calendar.

H.B. 649, A BILL TO BE ENTITLED AN ACT RELATING TO THE 53RD HOUSE OF REPRESENTATIVES DISTRICT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

H.B. 655, A BILL TO BE ENTITLED AN ACT RELATING TO ROCKINGHAM COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Grady, and Preston, Co-Chairs, for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 272,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 414, A BILL TO BE ENTITLED AN ACT RELATING TO SEVERANCE PAY FOR THE PURPOSES OF UNEMPLOYMENT INSURANCE BENEFITS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 871, A BILL TO BE ENTITLED AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE, TO PERMIT EMPLOYERS SUBJECT TO THE STATE MINIMUM WAGE TO TAKE THE SAME TIP CREDIT AS FEDERALLY COVERED EMPLOYERS, AND TO EXEMPT COMPUTER PROFESSIONALS FROM MINIMUM WAGE AND OVERTIME PROVISIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 899, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR DISCLOSURES UPON THE SALE OF RESIDENTIAL PROPERTIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

H.B. 940, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A REAL ESTATE BROKER AND REAL ESTATE SALESPERSON ARE NOT EMPLOYEES WITHIN THE MEANING OF THE WORKERS' COMPENSATION ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Insurance.

The bill is re-referred to the Committee on Insurance.

H.B. 990, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 28. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 303, A BILL TO BE ENTITLED AN ACT TO BAN PARTIAL-BIRTH ABORTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 536, A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Shubert and Russell, Co-Chairs, for the Committee on Education:

H.B. 1136, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATE BOARD OF COMMUNITY COLLEGE ELECTION AND TO REVISE THE ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE LOCAL BOARDS OF TRUSTEES FOR COMMUNITY COLLEGES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 908, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RIGHTS OF A DECEDENT'S SPOUSE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 530, A BILL TO BE ENTITLED AN ACT TO EXEMPT SOME CORPORATIONS FROM THE APPLICABILITY OF THE PROFESSIONAL CORPORATION ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 891, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EMPLOYER AND ITS REPRESENTATIVES TO CONTACT AN EMPLOYEE'S TREATING PHYSICIAN AS NECESSARY TO EXERCISE THE EMPLOYER'S RIGHT TO DIRECT MEDICAL TREATMENT AND TO OBTAIN INFORMATION REGARDING MEDICAL TREATMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCEDURE FOR MEDIATION OF SPECIAL EDUCATION DISPUTES BETWEEN LOCAL EDUCATION AGENCIES AND PARENTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Morgan and without objection, **H.B. 459,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE POWERS AND AUTHORITY OF THE NORTH CAROLINA NATIONAL GUARD, is withdrawn from the Committee on State Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, **H.B. 357,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS IMPOSED BY GENERAL PERMITS FOR CERTAIN ANIMAL OPERATIONS, is withdrawn from the Committee on Environment and re-referred to the Committee on Agriculture.

On motion of Representative Morgan, seconded by Representative Jeffus, the House adjourns at 5:05 p.m. to reconvene Monday, April 28, 1997, at 4:00 p.m.

FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, April 28, 1997

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Adams.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-0).

A leave of absence is granted Representative Wright for today. Representatives Luebke and Neely are excused for a portion of the session.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 429, AN ACT TO ALLOW THE CITIES OF RALEIGH AND ROANOKE RAPIDS AND THE TOWN OF WAYNESVILLE TO DONATE UNCLAIMED BICYCLES.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 740, AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES. (S.L. 1997-37)

S.B. 286, AN ACT TO MAKE AN EMERGENCY APPROPRIATION, ON THE REQUEST OF THE GOVERNOR, TO THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM. (S.L. 1997-38)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Weatherly for the Committee on State Government:

H.B. 410, A BILL TO BE ENTITLED AN ACT ENACTING AND ENTERING INTO THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 29.

H.B. 491, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE YOUTH ADVISORY AND NORTH CAROLINA INTERNSHIP COUNCILS WITHIN THE YOUTH ADVOCACY COUNCIL IN THE DEPARTMENT OF ADMINISTRATION AND TO MAKE CONFORMING CHANGES TO OTHER RELATED STATUTES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 920, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA POSTAL HISTORY COMMISSION, with a

favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 988, A BILL TO BE ENTITLED AN ACT TO RESTORE OFFICIAL RECOGNITION TO THE INDIANS OF PERSON COUNTY AND TO PROVIDE THEM WITH REPRESENTATION ON THE COMMISSION OF INDIAN AFFAIRS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXEMPTION FOR ANNOUNCING REQUIREMENTS OF CAPITAL IMPROVEMENT PROJECT DESIGNS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 29.

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of April 29. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 499, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 29.

H.B. 502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A MOTORCYCLE LEARNER'S PERMIT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 580, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO IS NOT A RESIDENT MAY OBTAIN A CONCEALED HANDGUN PERMIT AND TO PROVIDE THE CRITERIA UNDER WHICH THE PERMIT MAY BE ISSUED, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 652, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE STATUTES GOVERNING THE OFFICE OF THE STATE AUDITOR, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 29. The original bill is placed on the Unfavorable Calendar.

H.B. 739, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 29. The original bill is placed on the Unfavorable Calendar.

H.B. 869, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SPEEDING TO ELUDE ARREST AND TO PROVIDE THAT THERE IS A PRESUMPTION THAT A PERSON IS ELUDING ARREST IF THE PERSON CONTINUES THE SPEEDING VIOLATION FOR A DISTANCE THAT IS A QUARTER OF A MILE OR MORE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 870,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE, BEAUFORT, CASWELL, CRAVEN, HYDE, PITT, AND ROCKINGHAM COUNTIES TO ARRANGE FOR THE WORKING OF NONVIOLENT MISDEMEANANTS UNDER THE SUPERVISION OF EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT OR EMPLOYEES OF A NONPROFIT, CHARITABLE CORPORATION, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 873, A BILL TO BE ENTITLED AN ACT TO RAISE THE AGE OF UNDISCIPLINED JUVENILES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 939, A BILL TO BE ENTITLED AN ACT TO EARMARK TEN PERCENT OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIME-STOPPERS PROGRAMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 29. The original bill is placed on the Unfavorable Calendar.

H.B. 1008, A BILL TO BE ENTITLED AN ACT REGARDING THE EDUCATIONAL REQUIREMENTS FOR CHIROPRACTIC LICENSURE AND TO AUTHORIZE THE BOARD TO LICENSE PERSONS WHO HAVE PASSED THE NATIONAL CHIROPRACTIC EXAMINATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 29.

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO REQUIRE TENANTS TO PAY TO THE CLERK OF COURT THE AMOUNT OF RENT IN ARREARS TO STAY THE EXECUTION OF JUDGMENT FOR SUMMARY EJECTMENT PENDING APPEAL TO DISTRICT COURT AND TO POST A BOND FOR ANY FURTHER APPEALS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO ALLOW PRESCRIBED BURNING IN FORESTS BY FOREST LANDOWNERS UNDER CERTAIN CONDITIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 29. The original bill is placed on the Unfavorable Calendar.

By Representative Kiser, Vice Chair, for the Committee on Judiciary II:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INFRACTION MAY BE EXPUNGED FROM A PERSON'S RECORD, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 29. The original bill is placed on the Unfavorable Calendar.

H.B. 415, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING GRANDPARENTS' LIABILITY FOR CERTAIN CHILD SUPPORT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1100, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS UPON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS, TO AUTHORIZE THE REMOVAL AND DESTRUCTION OF CERTAIN DEATH AND BIRTH CERTIFICATES, TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, AND TO AUTHORIZE THE STUDY OF LAND TITLE REGISTRATION PROCEDURES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Grady, and Preston, Co-Chairs, for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 351,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 672, A BILL TO BE ENTITLED AN ACT TO EXEMPT COUNTIES AND CITIES FROM THE STATUTORY REQUIREMENTS REGARDING PUBLIC CONTRACTS WHEN CONSTRUCTING CERTAIN METAL BUILDINGS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 795, A BILL TO BE ENTITLED AN ACT TO ALLOCATE THE DUTIES OF ROLLER SKATING RINK OPERATORS AND THE DUTIES OF ROLLER SKATERS AT ROLLER SKATING RINKS AS THESE DUTIES RELATE TO SAFETY AND LIABILITY FOR PERSONAL INJURY, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

H.B. 994, A BILL TO BE ENTITLED AN ACT TO ALLOW PAY TELEPHONE PROVIDERS TO OBTAIN LINE ACCESS FROM COMPETITIVE LOCAL PROVIDERS OF TELEPHONE SERVICE AND TO ELIMINATE THE STATUTORY REQUIREMENT THAT LINE ACCESS RATES BE SET ON A MEASURED RATE BASIS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 29.

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON FROM REPRESENTING THAT THE PERSON PROVIDES OR OBTAINS DEBT CONSOLIDATION WHEN THE SERVICE THAT PERSON PRIMARILY PROVIDES IS RELATED TO BANKRUPTCY PROCEEDINGS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO PERMIT LENDERS TO CONTRACT FOR AND RECEIVE SHARED APPRECIATION IN CERTAIN CIRCUMSTANCES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN CRIMINAL RECORD CHECKS TO BE CONDUCTED BY

PRIVATE BUSINESS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 597, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 29. The original bill is placed on the Unfavorable Calendar.

H.B. 804, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MAINTENANCE OF CERTAIN SECONDARY ROADS IN LINCOLN COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Berry for the Committee on Welfare Reform:

H.B. 301, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO REQUIRE SIDEWALK IMPROVEMENTS

THROUGH THE SITE PLAN REVIEW PROCESS UNDER THE AUTHORITY OF THE CITY ZONING ORDINANCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 761, A BILL TO BE ENTITLED AN ACT TO ALLOW HILLSBOROUGH TO CONTRACT FOR INSPECTION SERVICES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 879, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN DECISIONS OF THE DURHAM COUNTY BOARD OF ADJUSTMENT TO BE MADE BY THREE-FIFTHS VOTE RATHER THAN FOUR-FIFTHS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 808, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CARY TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE CITY AND AREAS WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

H.B. 655, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF MADISON; and

H.B. 844, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO RESTRICT ANNEXATION OF THE CITY BEYOND A LINE.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dockham for the Committee on Insurance:

H.B. 940, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A REAL ESTATE BROKER AND REAL ESTATE SALESPERSON ARE NOT EMPLOYEES WITHIN THE MEANING OF THE WORKERS' COMPENSATION ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 29.

H.B. 984, A BILL TO BE ENTITLED AN ACT TO PROVIDE HEALTH BENEFITS FOR SOIL AND WATER CONSERVATION DISTRICT SUPERVISORS AND THEIR ELIGIBLE DEPENDENTS WHO DO NOT HAVE ACCESS TO COMPREHENSIVE GROUP HEALTH BENEFITS BY ALLOWING VOLUNTARY PARTICIPATION IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 29.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 451, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY FOR UNEMPLOYMENT BENEFITS IN THE EVENT OF SPOUSAL ABUSE OR A SPOUSAL RELOCATION, TO THE DEFINITION OF EMPLOYMENT AS TO AGRICULTURAL LABOR, AND TO FOOD STAMP OVERISSUANCES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original

bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 617, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT PUBLICLY OWNED AND OPERATED BUSES MAY NOT COMPETE WITH THE PRIVATE SECTOR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 29. The original bill is placed on the Unfavorable Calendar.

H.B. 651, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of April 29. The original bill is placed on the Unfavorable Calendar.

H.B. 1059, A BILL TO BE ENTITLED AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

The committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives C. Wilson, Adams, Aldridge, Allred, Arnold, Barbee, Berry, Boyd-McIntyre, Braswell, Brown, Buchanan, Capps, Carpenter,

Cole, Crawford, Creech, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Gardner, Grady, Gulley, Hardy, Hiatt, Hill, Howard, Justus, Kiser, Mitchell, Moore, Morris, Nichols, Rayfield, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Wainwright, Watson, Weatherly, G. Wilson, Womble, and Wood:

H.B. 1162, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO CHANGE THE DETERMINATIVE EFFECT OF THE STATE MEDICAL FACILITIES PLAN'S NEED DETERMINATIONS TO PRESUMPTIVE EFFECTS AND TO REQUIRE CONSIDERATION OF ANY SPECIFIC NEED THAT MAY REBUT THE PRESUMPTION AND TO CLARIFY THAT THE STATE MEDICAL FACILITIES PLAN MUST BE ADOPTED AS RULES PURSUANT TO THE NORTH CAROLINA ADMINISTRATIVE PROCEDURE ACT AND MAY BE CHALLENGED IN CONTESTED CASES, is referred to the Committee on Insurance.

By Representatives Hensley, Blue, Capps, Eddins, Ellis, Miner, Mosley, and Neely:

H.B. 1163, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE DANGEROUS OFFENDER TASK FORCE IN WAKE COUNTY, is referred to the Committee on Appropriations.

By Representatives Luebke, Fitch, and Hensley:

H.B. 1164, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADOPTION OF AN ERGONOMICS STANDARD BY THE NORTH CAROLINA LABOR COMMISSIONER, is referred to the Committee on Appropriations.

By Representatives Bowie and Hensley:

H.J.R. 1165, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CONFLICT OF INTEREST ISSUES RELATING TO PUBLIC OFFICIALS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Black:

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE

AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams, Arnold, Black, Clary, Crawford, Decker, Fitch, Gardner, Hackney, Jarrell, Jeffus, McAllister, Michaux, Nye, Oldham, Smith, Wainwright, and Watson:

H.B. 1167, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE MAKING IT UPSTREAM PROGRAM FOR RESIDENTIAL REHABILITATIVE SERVICES TO MALE YOUTHS WHO HAVE BEEN ENGAGED IN SERIOUS CRIMINAL ACTIVITY, MAJOR DRUG ADDICTION, OR HIGHLY DESTRUCTIVE BEHAVIORS, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 125,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ENCOURAGE THE REDEVELOPMENT OF BROWNFIELDS BY APPROVING THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES AND ON OIL OR HAZARDOUS SUBSTANCE DISCHARGES OR RELEASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 162,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND SIMILAR MINOR CHANGES TO THE ADOPTION LAWS AS FOUND IN CHAPTER 48 OF THE GENERAL STATUTES INVOLVING CERTIFICATION OF DOCUMENTS, NOTICE, PROCEDURES FOR REPORTS TO THE COURT, ACCEPTANCE OF RELINQUISHMENTS BY AGENCIES, INDEXING, CAPTIONS ON ADOPTION PETITIONS, AND STANDBY GUARDIANS; TO STANDARDIZE PROCEDURES FOR REQUESTING NEW BIRTH CERTIFICATES IN ALL ADOPTIONS; AND TO AMEND PROVISIONS FOR OBTAINING CERTIFICATION OF IDENTIFICATION FOR INDIVIDUALS OF FOREIGN BIRTH AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO ALLOW FOR PREBIRTH RIGHT-TO-CONSENT DETERMINATION, CLARIFY WHEN COUNTY DEPARTMENTS OF SOCIAL SERVICES MUST DO PREPLACEMENT ASSESSMENTS, TO ADD CHILDREN TO THE LIST

OF PERSONS WHO CAN GET COPIES OF BIRTH CERTIFICATES OF ADOPTEES, AND TO EXTEND THE EFFECTIVE PERIOD OF PREPLACEMENT ASSESSMENTS TO EIGHTEEN MONTHS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 169,** A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 178,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF CULTURAL RESOURCES TO PROPOSE LANDS TO BE ACQUIRED WITH FUNDS FROM THE NATURAL HERITAGE TRUST FUND, TO AUTHORIZE EXPENDITURES FROM THE FUND FOR CONSERVATION AND PROTECTION PLANNING AND EDUCATIONAL PROGRAMS FOR OWNERS OF NATURE PRESERVES UNDER THE NATURE PRESERVES ACT, AND TO AUTHORIZE THE BOARD OF TRUSTEES OF THE FUND TO ENTER INTO AGREEMENTS FOR THE MANAGEMENT OF ACQUIRED LANDS WITH QUALIFIED NONPROFIT ORGANIZATIONS, is read the first time and referred to the Committee on Appropriations.

Committee Substitute for **S.B. 210,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CORRECTION MAY DEDUCT FUNDS FROM AN INMATE'S ACCOUNT TO REPAY COSTS RESULTING FROM INMATE MISCONDUCT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 240, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LIMITATION ON CERTAIN KINDS OF POLITICAL FUND-RAISING WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 376, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TEACHING HOSPITALS AFFILIATED WITH CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO ESTABLISH CAMPUS LAW ENFORCEMENT AGENCIES, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 382,** A BILL TO BE ENTITLED AN ACT REDEFINING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS AND ELIMINATING THE ONE AND ONE-HALF TIMES TEST, is read the first time and referred to the Committee on Commerce.

S.B. 402, A BILL TO BE ENTITLED AN ACT TO EXEMPT SIMPLE RETIREMENT ACCOUNTS FROM THE CLAIMS OF CREDITORS, is read the first time and referred to the Committee on Judiciary I.

S.B. 421, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING EACH COUNTY TO (I) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (II) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION, is read the first time and referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

S.B. 529, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF HOPE MILLS, is read the first time and referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 537,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE, is read the first time and referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

S.B. 571, A BILL TO BE ENTITLED AN ACT TO PLACE ON THE SCHEDULE II CONTROLLED SUBSTANCES LIST THE DRUG REMIFENTANIL AND SALTS THEREOF, IN ACCORDANCE WITH FEDERAL LAW, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 587,** A BILL TO BE ENTITLED AN ACT TO GIVE CLASSROOM EXPERIENCE TO PROFESSIONAL PUBLIC SCHOOL EMPLOYEES WHO DO NOT HAVE DAILY INSTRUCTIONAL

CONTACT WITH STUDENTS, is read the first time and referred to the Committee on Education.

S.B. 614, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSING LAWS ADMINISTERED BY THE DEPARTMENT OF INSURANCE, INCLUDING THE LAWS RELATING TO THE PAYMENT OF CIVIL MONEY PENALTIES, HEARING PROCEDURES, NOTICES OF ADDRESS CHANGES AND CRIMINAL CONVICTIONS, APPLICATIONS FOR LEARNER'S PERMITS, EXTENSIONS OF TIME FOR CONTINUING EDUCATION REQUIREMENTS, THE BASES UPON WHICH LICENSES MAY BE DENIED, REVOKED, OR SUSPENDED, THE NUMBER OF CONTINUING EDUCATION HOURS REQUIRED FOR BAIL BONDSMEN AND RUNNERS, AND THE BOND REQUIREMENT FOR VIATICAL SETTLEMENT PROVIDERS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 627,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A DOMESTIC VIOLENCE PROTECTIVE ORDER, AND TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 664,** A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF FARMVILLE AND BETHEL TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, is read the first time and referred to the Committee on Ways and Means.

S.B. 801, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA PLANNED COMMUNITY ACT, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

S.B. 814, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IN-STAND SALES OF ALCOHOLIC BEVERAGES IN CERTAIN STADIUMS, BALLPARKS, AND SIMILAR PUBLIC PLACES, is read the first time and referred to the Committee on Commerce.

INTRODUCTION OF PAGES

Pages for the week of April 28 are introduced to the membership. They are: Terra Jamille Abrams of Richmond; Davis Edward Bilich of Brunswick; Amanda Leigh Brown of Cabarrus; Bradley K. Campbell of Iredell; Richard Matthew Conley of Mitchell; Damien Cornell Everett of Franklin; Melissa Blake Faulkner of Franklin; Adam Grant Floyd of Franklin; Liza Marie Frake of Cabarrus; Jessica Nicole Gaither of Iredell; Zachary Green of Wake; Matthew Aaron Grindstaff of Mitchell; Jamie D'Nise Harrison of Edgecombe; Jamie Marie Howard of Franklin; Tonya Nicole Lowery of Robeson; Yvonne Nicole Martin of Cabarrus; Carrie Susanne Moore of Beaufort; Alida Marie Parise of Iredell; Alisha Pendergrass of Davidson; Allison Plute of Johnston; Corrie Rebekah Reel of Lincoln; Joy Leeila Reel of Lincoln; Amanda Louise Slaughter of Cabarrus; Laurie Annette Smiley of Vance; Jennifer Stallings of Wake; and Jennifer Leigh White of Mecklenburg.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Preston and without objection, Committee Substitute for **H.B. 865,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SNEADS FERRY, SUBJECT TO A REFERENDUM, AND CONCERNING ZONING BY THE TOWN OF PELETIER, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 63,** A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower,

Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Luebke, Neely, and Wright - 3.

H.B. 643, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Luebke, Neely, and Wright - 3.

H.B. 72, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Luebke, Neely, and Wright - 3.

Committee Substitute No. 2 for **H.B. 373,** A BILL TO BE ENTITLED AN ACT TO REQUIRE ANNEXATION IN CALDWELL COUNTY BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THAT COUNTY BE APPROVED BY REFERENDUM.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Luebke, Neely, and Wright - 3.

H.B. 695, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Luebke, Neely, and Wright - 3.

Committee Substitute for **H.B. 656,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS OF THE WATERSHED PROTECTION ACT AS THEY APPLY TO SCHOOLS, TO MODIFY THE LAWS RELATING TO SATELLITE ANNEXATION WHICH APPLY TO MOORESVILLE, AND TO LIMIT THE SPEED OF BOATS ON LAKE NORMAN.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito,

Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 103.

Voting in the negative: Representatives Blue, Bonner, Easterling, Hackney, Hardaway, Hensley, H. Hunter, Michaux, and Warner - 9.

Excused absences: Representatives Luebke, Neely, and Wright - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 681,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Luebke, Neely, and Wright - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 791, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DURHAM PUBLIC SCHOOLS TO DISPOSE OF CERTAIN REAL PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 233,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM NEAR AN ELEMENTARY OR SECONDARY SCHOOL IN VANCE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 855, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 649,** A BILL TO BE ENTITLED AN ACT ABOLISHING THE OFFICE OF CORONER IN CHEROKEE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 531, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF THE PITT COUNTY ABC BOARD FROM THREE TO FIVE MEMBERS, passes its second reading, by electronic vote (66-47), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 747,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-

MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, SUBJECT TO A REFERENDUM.

Representative Cunningham moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (70-40).

The motion to re-refer fails by electronic vote (50-64).

The bill passes its second reading, by electronic vote (62-52), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 485,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS.

Representatives H. Hunter and Hardaway request that they be excused from voting on this bill under Rule 24.1A and these requests are granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent,

Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, and Yongue - 104.

Voting in the negative: Representatives Creech, Decker, Gamble, Hiatt, and Mosley - 5.

Excused votes: Representatives Hardaway and H. Hunter - 2.

Excused absences: Representatives Luebke, Neely, and Wright - 3.

Committee Substitute for **H.B. 584,** A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE ATTEMPTING TO ELUDE ARREST STATUTES.

Representative Davis offers Amendment No. 1.

On motion of Representative Davis, the bill with pending amendment is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 790,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHECK TAKER OR ACCEPTOR SHALL NOT WRITE OR PRINT THE RACE OR GENDER ON THE CHECK OR DRAFT OF A CHECK PASSER, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 945, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PART-TIME BACCALAUREATE DEGREE STUDENTS ARE ELIGIBLE FOR NURSING SCHOLARSHIP LOANS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 176,** A BILL TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES AND LIABILITY FOR EQUINE

ACTIVITIES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 448,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 534,** A BILL TO BE ENTITLED AN ACT REGARDING THE CONTRACTUAL OBLIGATIONS OF SPOUSES, THE TRANSFER OF PROPERTY AND INCOME WITHHOLDING TO ENFORCE SUPPORT ORDERS, AND THE AWARDING OF ALIMONY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 954, A BILL TO BE ENTITLED AN ACT TO AMEND EXISTING LAW PERTAINING TO SESSIONS OF THE SUPREME COURT, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 554,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FREE DRIVERS, HUNTING, AND FISHING LICENSES FOR CERTAIN DISABLED VETERANS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 972, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY RECOGNIZE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE HALIWA TRIBE AS THE HALIWA SAPONI TRIBE, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 929,** A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A PROTECTIVE ORDER; TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS; AND TO IMPOSE A CRIMINAL PENALTY FOR VIOLATION OF A PROTECTIVE ORDER, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 523,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONFISCATED WEAPONS MAY BE KEPT FOR DEPARTMENTAL USE BY LAW ENFORCEMENT OFFICERS, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 222,** A BILL TO BE ENTITLED AN ACT TO RECODIFY THE LAW CONCERNING HABITUAL FELONS

AND VIOLENT HABITUAL FELONS, TO PROVIDE THAT THE ISSUE OF WHETHER A DEFENDANT IS AN HABITUAL FELON OR A VIOLENT HABITUAL FELON SHALL BE DETERMINED BY THE TRIAL JUDGE, AND TO MAKE OTHER CHANGES, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 896,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF-CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES AND REGARDING RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT.

Representative Gardner offers Amendment No. 1.

On motion of Representative Creech and without objection, the bill with pending amendment is temporarily displaced.

H.B. 433, A BILL TO BE ENTITLED AN ACT TO EXEMPT A SWORN LAW ENFORCEMENT OFFICER OR A RETIRED SWORN LAW ENFORCEMENT OFFICER FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR A PERMIT WITHIN ONE YEAR OF RETIREMENT, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 470, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF COUNTY MEDICAL INVESTIGATORS.

On motion of Representative Tallent and without objection, consideration of the bill is postponed until April 30.

Committee Substitute for **H.B. 1032,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO ADOPT A RULE TO AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS THAT COMPLIES WITH FEDERAL LAW AND THAT PROVIDES FOR AN ALTERNATE LANDFILL LINER THAT IS AT LEAST AS PROTECTIVE AS THE

CURRENTLY AUTHORIZED LANDFILL LINER, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A DENTAL EXAMINATION PILOT PROGRAM.

On motion of the Chair, the bill is temporarily displaced.

H.B. 926, A BILL TO BE ENTITLED AN ACT PERTAINING TO PREFERRED PROVIDER CONTRACTS, passes its second reading by electronic vote (109-2).

Representative Black objects to the third reading. The bill remains on the Calendar.

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE LICENSING OF CERTAIN SUBSIDIARIES OF INSURERS OWNED OR CONTROLLED BY FOREIGN GOVERNMENTS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 899,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR DISCLOSURES UPON THE SALE OF RESIDENTIAL PROPERTIES, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 990,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED

WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION, passes its second reading by electronic vote (79-36).

Representative Adams states that her voting equipment malfunctioned and she requests to be recorded as voting "no". This request is granted. The adjusted vote total is (78-37).

Representative Miller objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Bowie and without objection, **H.B. 1029,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A DENTAL EXAMINATION PILOT PROGRAM, is withdrawn from the Calendar and placed on the Calendar of April 29.

CALENDAR (continued)

Committee Substitute for **H.B. 896,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF-CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES AND REGARDING RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative Gardner withdraws Amendment No. 1.

The bill passes its second reading by electronic vote (82-32).

Representative Insko objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 584,** A BILL TO BE ENTITLED AN ACT TO LIMIT, TO MODIFY, AND ENHANCE ATTEMPTING TO ELUDE ARREST STATUTES, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative Davis offers perfecting Amendment No. 2 which is adopted by electronic vote (107-3).

Amendment No. 1 fails of adoption by electronic vote (52-62).

Representative Ellis offers Amendment No. 3.

Representative Hensley offers perfecting Amendment No. 4 which is adopted by electronic vote (86-27).

Representative Sutton calls the previous question on Amendment No. 3 and the call is sustained by electronic vote (88-28).

Amendment No. 3 fails of adoption by electronic vote (35-80).

The bill passes its third reading, by electronic vote (100-14), and is ordered sent to the Senate.

Representative Baddour states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (101-14).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 907, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT ACTIONS INVOLVING CERTAIN FAMILY ISSUES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 111.

Voting in the negative: None.

Excused absence: Representative Wright.

Representative Esposito states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (112-0).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 581,** A BILL TO BE ENTITLED AN ACT TO PROVIDE A CIVIL ACTION REMEDY FOR PERSONS WHO ARE SEXUALLY EXPLOITED BY THEIR PSYCHOTHERAPIST, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1026,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELEVEN MONTHS OF EMPLOYMENT FOR TEACHERS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 644, A BILL TO BE ENTITLED AN ACT TO RESTORE THE NAME OF HALIFAX STREET TO A STATE GOVERNMENT MALL THAT OCCUPIES ITS FORMER ROUTE.

On motion of Representative Blue, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House by electronic vote (80-37).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 977, A BILL TO BE ENTITLED AN ACT TO ALLOW PARENTS TO ELECT THE PARENTS WHO SERVE ON SCHOOL IMPROVEMENT TEAMS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1089,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN MEMBERS OF THE MILITARY ARE CLASSIFIED AS NORTH CAROLINA RESIDENTS AND SO QUALIFY TO PAY IN-STATE TUITION AT STATE INSTITUTIONS OF HIGHER EDUCATION.

On motion of Representative Holmes, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 456, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REQUIRING THE REGISTER OF DEEDS TO DISTRIBUTE INFORMATION ON THE DANGERS OF DRUG AND ALCOHOL ABUSE DURING PREGNANCY WITH EACH MARRIAGE LICENSE, passes its second reading, by electronic vote (104-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 434,** A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS, passes its second reading by electronic vote (114-0).

Representative Berry objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1136,** A BILL TO BE ENTITLED AN ACT TO REVISE THE STATE BOARD OF COMMUNITY COLLEGE ELECTION AND TO REVISE THE ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE LOCAL BOARDS OF TRUSTEES FOR COMMUNITY COLLEGES.

On motion of Representative Rayfield and without objection, consideration of the bill is postponed until April 29.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1098,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCEDURE FOR MEDIATION OF SPECIAL EDUCATION DISPUTES, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Representative Decker states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (114-0).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1099,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES, passes its second reading by electronic vote (103-13).

Representative McAllister objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 513, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of April 29.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 1073, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE TITLE APPLICATIONS AND FEES TO THE STATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMANENTLY DISABLED DRIVERS DO NOT HAVE TO BE MEDICALLY RECERTIFIED WHEN RENEWING HANDICAPPED PLACARDS OR REGISTRATION PLATES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

By Representative Neely for the Committee on Judiciary II:

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE PRETRIAL RELEASE AND BOND FORFEITURE PROCEDURE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 891,** A BILL TO BE ENTITLED AN ACT TO ALLOW AN EMPLOYER AND ITS REPRESENTATIVES TO CONTACT AN EMPLOYEE'S TREATING PHYSICIAN AS NECESSARY TO EXERCISE THE EMPLOYER'S RIGHT TO DIRECT MEDICAL TREATMENT AND TO OBTAIN INFORMATION REGARDING MEDICAL TREATMENT, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Judiciary I.

RE-REFERRALS

On motion of Representative Allred and without objection, **H.B. 719,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE UTILITIES COMMISSION SHALL SET RATES FOR THE MUNICIPALLY OWNED ELECTRIC UTILITIES IN THE TOWNS OF WASHINGTON AND BELHAVEN, is withdrawn from the Committee on Ways and Means and re-referred to the Committee on Commerce.

On motion of Representative Dockham and without objection, **H.B. 193,** A BILL TO BE ENTITLED AN ACT TO ELIMINATE INFRACTIONS FROM CONSIDERATION IN THE SAFE DRIVER INCENTIVE PLAN, TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS, AND TO PROHIBIT INSURANCE POINTS AND SURCHARGES IF BODILY INJURY DOES NOT OCCUR, is withdrawn from the Committee on Insurance and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, seconded by Representative Rogers, the House adjourns at 8:31 p.m. to reconvene April 29 at 4:00 p.m.

FIFTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 29, 1997

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Angela Cook, First Presbyterian Church, Raleigh, North Carolina.

"O Lord, our governor, Your glory shines throughout the world and our State. We commend our State to Your loving care and tender mercies, that we may live securely in peace and may be guided by Your providence and divine authority. Give all those in positions of power and leadership the wisdom and strength to know Your will and to do it. These are difficult and trying times, O God, help these leaders of our State to remember that they are called to serve the people as lovers of truth and justice. Give these

faithful servants the piece of mind to bring about change and growth where it is most needed in our land. In a spirit of kindness, wisdom and love, help all of us to reach out to one another and to learn from others with whom we do not always agree or understand. We ask all these things in the name of Jesus Christ, our Lord. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (113-0).

A leave of absence is granted Representative McCombs for today. Representative Morgan is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Howard for the Committee on Ethics:

H.B. 964, A BILL TO BE ENTITLED AN ACT TO REVISE AND STRENGTHEN THE SYSTEM OF LEGISLATIVE ETHICS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 511, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC SCHOOL LAWS TO ENSURE THAT EVOLUTION IS NOT TAUGHT AS FACT IN NORTH CAROLINA PUBLIC SCHOOLS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 357, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS IMPOSED BY GENERAL PERMITS FOR CERTAIN ANIMAL OPERATIONS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSPORTATION AND RESALE OF THE EDIBLE PARTS OF BEAR AND DEER TAKEN IN ANOTHER STATE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1043, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FARM ENVIRONMENTAL COMPLIANCE REVOLVING LOAN FUND TO PROVIDE ASSISTANCE TO FARMERS TO ACHIEVE ENVIRONMENTAL COMPLIANCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE IS A REBUTTABLE PRESUMPTION THAT A PERSON WHO ENTERS OR REMAINS ON THE PREMISES OF ANOTHER FOR A PURPOSE THAT IS NOT IN THE ORDINARY COURSE OF BUSINESS INTENDS TO TRESPASS, TO AMEND THE OFFENSE OF TRESPASS FOR PURPOSES OF HUNTING, ETC., TO ELIMINATE THE REQUIREMENT THAT PROPERTY BE POSTED, AND TO MAKE CONFORMING CHANGES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 734, A BILL TO BE ENTITLED AN ACT TO CLARIFY G.S. 153A-15 TO EXEMPT PUBLIC WATER SUPPLY AND DISTRIBUTION SYSTEMS FROM THE REQUIREMENT OF OBTAINING CONSENT FROM COUNTY BOARDS OF COMMISSIONERS, with a favorable

report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 891,** A BILL TO BE ENTITLED AN ACT TO ALLOW AN EMPLOYER AND ITS REPRESENTATIVES TO CONTACT AN EMPLOYEE'S TREATING PHYSICIAN AS NECESSARY TO EXERCISE THE EMPLOYER'S RIGHT TO DIRECT MEDICAL TREATMENT AND TO OBTAIN INFORMATION REGARDING MEDICAL TREATMENT, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1132, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO CONTAMINATE FOOD OR DRINK WITH ANY SUBSTANCE THAT WOULD RENDER A PERSON MENTALLY INCAPACITATED OR PHYSICALLY HELPLESS WITH THE INTENT OF COMMITTING A CRIME AGAINST THAT PERSON, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 457,** A BILL TO BE ENTITLED AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 748, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 777, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION OR INITIATE ANNEXATION BY RESOLUTION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF KINGS MOUNTAIN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 778, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO EXTEND ITS EXTRA-TERRITORIAL JURISDICTION TWO MILES FROM ITS CITY LIMITS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 810,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF NEWLAND IN AVERY COUNTY AND THE TOWN OF SPRUCE PINE IN MITCHELL COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 843,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 354, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT OF CERTIFIED MAIL NOTICE IN BOND FORFEITURE CASES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 1124, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE DEPARTMENT OF JUSTICE MAY PERFORM CRIMINAL RECORDS CHECKS TO FACILITATE BACKGROUND INVESTIGATIONS FOR FIREFIGHTER AND RESCUE SQUAD APPLICANTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 812, A BILL TO BE ENTITLED AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Barbee for the Committee on Pensions and Retirement:

Committee Substitute for **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER SCHOOL ACT OF 1996 TO ELIMINATE THE REQUIREMENT THAT CHARTER SCHOOLS BE OPERATED BY PRIVATE NONPROFIT CORPORATIONS AND TO MAKE SUCH OPERATION OPTIONAL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

H.B. 1094, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR PREEMPTED PROVISIONS OF THE GENERAL STATUTES AFFECTING RAILROADS, TO RECODIFY CERTAIN RAILROAD STATUTES, AND TO MAKE CONFORMING CHANGES AND CLARIFYING CHANGES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1137, A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE WATER AND SOIL CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 813, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICE PLANS, HMO PLANS, AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO PROVIDE COVERAGE FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM MASTECTOMY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 707, A BILL TO BE ENTITLED AN ACT TO PERMIT CHILDREN TO ATTEND COMMUNITY SCHOOLS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IMPLEMENT RIGOROUS AND FOCUSED CONTENT STANDARDS IN READING, WRITING, MATH, SCIENCE, AND SOCIAL STUDIES, AND TO MAKE AN APPROPRIATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Barbee for the Committee on Pensions and Retirement:

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 948, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF PHARMACY TO ESTABLISH A RECOVERY AND REHABILITATION PROGRAM FOR PHARMACISTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues:

H.B. 750, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM;

H.B. 460, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO DESIGNATE WHO HAS THE DUTY TO ESTABLISH AND REVISE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS; and

H.B. 476, A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES FOR VITAL RECORDS.

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers **H.B. 1089,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN MEMBERS OF THE MILITARY ARE CLASSIFIED AS NORTH CAROLINA RESIDENTS AND SO QUALIFY TO PAY IN-STATE TUITION AT STATE INSTITUTIONS OF HIGHER EDUCATION, to the Permanent Subcommittee on Education.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Sutton, Baddour, Bonner, Boyd-McIntyre, Braswell,

Earle, Goodwin, R. Hunter, Insko, Jarrell, Jeffus, Kinney, Nesbitt, Redwine, Saunders, Warwick, and Yongue:

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ADMINISTRATION FOR THE INDIAN CULTURAL CENTER AND THE NORTH CAROLINA STATE COMMISSION OF INDIAN AFFAIRS, is referred to the Committee on Appropriations.

By Representatives Sutton, Baddour, Bonner, Boyd-McIntyre, Braswell, Earle, Goodwin, Insko, Jarrell, Jeffus, Kinney, Nesbitt, Redwine, Warwick, and Yongue:

H.B. 1169, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A PUBLIC LIBRARY IN THE TOWN OF PEMBROKE, is referred to the Committee on Appropriations.

By Representative Buchanan:

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO EXPAND THE INCOME TAX EXCLUSION FOR SEVERANCE PAY TO INCLUDE SEVERANCE PAY DUE TO AN EMPLOYEE'S INVOLUNTARY TERMINATION THROUGH NO FAULT OF THE EMPLOYEE, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representatives Sherrill, Brown, Buchanan, Cansler, Carpenter, Clary, Dedmon, Hiatt, R. Hunter, Ives, Justus, Nesbitt, Ramsey, Thompson, Weatherly, and G. Wilson:

H.B. 1171, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE CONSTRUCTION OF THE BLUE RIDGE REGIONAL DESTINATION CENTER, is referred to the Committee on Appropriations.

By Representatives Boyd-McIntyre, Braswell, Earle, H. Hunter, Jarrell, Jeffus, Kinney, Nesbitt, Redwine, and Sutton:

H.B. 1172, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR CAPITAL IMPROVEMENTS TO THE HINES HALL COMPLEX AT NORTH CAROLINA AGRICULTURAL AND

TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Dedmon, Baddour, Barbee, Black, Bonner, Braswell, Carpenter, Clary, Cole, Earle, Eddins, Fox, Goodwin, Hill, R. Hunter, Ives, Jarrell, Jeffus, Moore, Mosley, Nesbitt, Rayfield, Saunders, Sexton, Sherrill, Smith, Tallent, Tolson, Warner, Warwick, Weatherly, C. Wilson, Wood, and Yongue:

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX CREDITS FOR CONSTRUCTION EMPLOYERS WHO PROVIDE CRAFTWORKER TRAINING TO EMPLOYEES AND WHO HIRE WELFARE RECIPIENTS, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representative Fitch:

H.B. 1174, A BILL TO BE ENTITLED AN ACT TO DIRECT THE USE OF UNEXPENDED FUNDS FOR THE CAPITAL COSTS OF CONSTRUCTING A FARMER'S MARKET IN WILSON COUNTY, is referred to the Committee on Appropriations.

By Representative Carpenter:

H.J.R. 1175, A JOINT RESOLUTION DECLARING THE MONTH OF NOVEMBER TO BE AGRICULTURE AWARENESS MONTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Crawford, Fox, Michaux, and Wilkins:

H.B. 1176, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO GRANVILLE COUNTY FOR THE MAINTENANCE AND CARE OF THE HISTORICAL CEMETERIES, is referred to the Committee on Appropriations.

By Representatives Shubert, Adams, Alexander, Arnold, Baddour, Baker, Beall, Berry, Black, Bonner, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Davis, Earle, Eddins, Fox, Goodwin, Gulley, Hall, Hill, R. Hunter, Insko, Ives, Jarrell, Jeffus, Kinney, McComas, McMahan, Mercer, Morris, Mosley, Nesbitt, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sherrill, Starnes, Sutton,

Tallent, Tolson, Wainwright, Warwick, Weatherly, Wilkins, G. Wilson, Womble, and Yongue:

H.B. 1177, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON SMALL BUSINESS DEVELOPMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 1178, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE RESTORATION OF THE CENTURY POST OFFICE MUSEUM IN THE TOWN OF WINTON, is referred to the Committee on Appropriations.

By Representative H. Hunter:

H.B. 1179, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE LAND LOSS PREVENTION PROJECT, INC., TO PROVIDE LEGAL ASSISTANCE TO FINANCIALLY DISTRESSED FAMILY FARMERS, is referred to the Committee on Appropriations.

By Representatives McAllister, Adams, Baddour, Earle, Hackney, Hightower, R. Hunter, Hurley, Jarrell, Jeffus, Kinney, Michaux, Mosley, Nesbitt, Oldham, Redwine, Smith, Sutton, Womble, and Yongue:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MODEL TEACHER EDUCATION CONSORTIUM TO INCLUDE CUMBERLAND, ROBESON, AND HOKE COUNTIES, FAYETTEVILLE STATE UNIVERSITY, THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, ROBESON COMMUNITY COLLEGE, AND FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Starnes:

H.B. 1181, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HIDDENITE CENTER, INC., FOR CAPITAL IMPROVEMENTS TO ITS FACILITY, is referred to the Committee on Appropriations.

By Representatives Moore, Baddour, Bonner, Cunningham, Dedmon, Goodwin, Grady, R. Hunter, Insko, Jarrell, Jeffus, Kinney, Preston, Redwine, Saunders, Sexton, and Warwick:

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A STUDY OF THE NONINSTRUCTIONAL DUTIES OF TEACHERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Moore, Baddour, Bonner, Cunningham, Dedmon, Goodwin, Grady, R. Hunter, Jarrell, Jeffus, Kinney, Preston, Redwine, Saunders, Sexton, and Warwick:

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CIVIC EDUCATION PROGRAM FOR MIDDLE SCHOOL CLASSES, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Hensley:

H.B. 1184, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE YATES MILL HISTORICAL SITE, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 304, A BILL TO BE ENTITLED AN ACT TO PROVIDE COUNTIES WITH FINANCIAL INCENTIVE TO INVESTIGATE AND PURSUE DAY CARE FRAUD AND OVERPAYMENTS BY PAYING COUNTIES TWENTY-FIVE PERCENT OF ACTUAL COLLECTIONS, is read the first time and referred to the Committee on Human Resources.

S.B. 445, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA BOARD OF NURSING TO ENTER INTO INTERSTATE COMPACTS TO FACILITATE THE PRACTICE AND REGULATION OF NURSING, is read the first time and referred to the Committee on Human Resources.

S.B. 453, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, is read the first time and referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 539,** A BILL TO BE ENTITLED AN ACT TO REQUIRE MORE SPECIFIC DISCLOSURE OF LOBBYING, is

read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 682, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO REQUIRE THAT CHALLENGES TO VOLUNTARY ANNEXATIONS BY THE CITY BE FILED WITHIN THIRTY DAYS AFTER THE ADOPTION OF THE ANNEXATION ORDINANCE, is read the first time and referred to the Committee on Ways and Means.

Committee Substitute for **S.B. 708,** A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN DISCLOSURES BY THE SPONSORS OF POLITICAL ADVERTISEMENTS, is read the first time and referred to the Committee on Election Law and Campaign Reform.

S.B. 739, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO INTERPRET THE PROVISIONS OF G.S. 160A-385, CONCERNING ZONING PROTEST PETITIONS, TO MAKE THE INTERPRETATIONS CONCLUSIVE IN THE ABSENCE OF ARBITRARY OR CAPRICIOUS ACTIONS; AND, TO REQUIRE THAT PROTEST PETITIONS BE SUBMITTED TO THE CITY AT LEAST FOUR NORMAL WORKING DAYS BEFORE THE DATE OF THE REZONING PUBLIC HEARING, is read the first time and referred to the Committee on Ways and Means.

S.B. 780, A BILL TO BE ENTITLED AN ACT REQUIRING THAT NONRESIDENT PHYSICIANS WHO TREAT PATIENTS IN THIS STATE THROUGH THE USE OF ELECTRONIC OR OTHER MEDIUMS SHALL BE LICENSED IN THIS STATE AND SHALL BE SUBJECT TO REASONABLE REGULATIONS BY THE NORTH CAROLINA MEDICAL BOARD, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 785, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON CERTAIN DIRECT PAYMENTS UNDER HEALTH INSURANCE POLICIES AND PLANS, is read the first time and referred to the Committee on Insurance.

Committee Substitute for **S.B. 945,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PRESCRIBER'S AND THE PATIENT'S CONSENT FOR INTERCHANGE OF A LIMITED CLASS OF DRUGS,

is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1074, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY RECOGNIZE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE HALIWA TRIBE AS THE HALIWA SAPONI TRIBE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Morgan and without objection, **H.B. 501,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE OPENING OF CARTWAYS, is withdrawn from the Committee on Transportation and re-referred to the Committee on Judiciary I.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 513,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY SAFETY REGULATIONS AND EDUCATION RELATED TO THE OPERATION OF MOTORIZED PLEASURE VESSELS AND PERSONAL WATER-CRAFT, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 429, AN ACT TO ALLOW THE CITIES OF RALEIGH AND ROANOKE RAPIDS AND THE TOWN OF WAYNESVILLE TO DONATE UNCLAIMED BICYCLES. (S.L. 1997-39)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 681,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY

OF ROXBORO, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absence: Representative McCombs.

H.B. 907, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT ACTIONS INVOLVING CERTAIN FAMILY ISSUES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton,

Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absence: Representative McCombs.

Committee Substitute No. 2 for **H.B. 485,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS.

Pursuant to Rule 24.1A(c), the requests that Representative Hardaway and Representative H. Hunter be excused from voting on April 28 are continued.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused votes: Representatives Hardaway and H. Hunter - 2.

Excused absence: Representative McCombs.

Representative Redwine states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (114-0).

Committee Substitute No. 2 for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS.

Representative Howard offers Amendment No. 1 which is adopted by electronic vote (115-0).

Representative Fox offers Amendment No. 2 which is adopted by electronic vote (118-0).

On motion of Representative Blue, the bill is temporarily displaced.

Committee Substitute for **H.B. 896,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF-CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES AND REGARDING RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT.

On motion of Representative Gardner, the bill is temporarily displaced.

Committee Substitute for **H.B. 434,** A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS, passes its third reading, by electronic vote (116-0), and is ordered sent to the Senate.

H.B. 926, A BILL TO BE ENTITLED AN ACT PERTAINING TO PREFERRED PROVIDER CONTRACTS, passes its third reading, by electronic vote (113-0), and is ordered sent to the Senate.

Committee Substitute for **H.B. 990,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED

WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION.

Representative Miller offers Amendment No. 1 which is adopted by electronic vote (64-52).

The bill, as amended, passes its third reading, by electronic vote (112-4), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 1099,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES, passes its third reading, by electronic vote (109-6), and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hurley, **H.B. 939,** A BILL TO BE ENTITLED AN ACT TO EARMARK TEN PERCENT OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS AND TO REQUIRE REFUNDS OF THE DRUG- TAX WHERE THE PERSON IS NOT CONVICTED OF THE DRUG RELATED CRIME, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 515,** A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT.

Representative Neely requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (113-3).

Representative H. Hunter offers Amendment No. 2 which fails of adoption by electronic vote (36-77).

Representative Hackney offers Amendment No. 3 which fails of adoption by electronic vote (48-69).

Representative Warwick offers Amendment No. 4 which fails of adoption by electronic vote (45-72).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (93-23).

The bill, as amended, passes its second reading, by electronic vote (95-23), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A DENTAL EXAMINATION PILOT PROGRAM.

On motion of Representative Bowie and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 414, A BILL TO BE ENTITLED AN ACT RELATING TO SEVERANCE PAY FOR THE PURPOSES OF UNEMPLOYMENT INSURANCE BENEFITS, passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 871, A BILL TO BE ENTITLED AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE, TO PERMIT EMPLOYERS SUBJECT TO THE STATE MINIMUM WAGE TO TAKE THE SAME TIP CREDIT AS FEDERALLY COVERED EMPLOYERS, AND TO EXEMPT COMPUTER PROFESSIONALS FROM MINIMUM WAGE AND OVERTIME PROVISIONS, passes its second reading, by electronic vote (113-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, which was temporarily displaced, is before the Body.

Representative Blue offers Amendment No. 3 which is adopted by electronic vote (60-58).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Hardaway, Hensley, Luebke, Michaux, and Womble - 5.

Excused absence: Representative McCombs.

Representative Holmes requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-5).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SCHOOLS TO DEVELOP CASE MANAGEMENT PLANS FOR JUVENILES TO PREVENT SCHOOL VIOLENCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1142, A BILL TO BE ENTITLED AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

The committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 949, A BILL TO BE ENTITLED AN ACT TO IMPROVE CHILD PROTECTION BY REQUIRING BETTER DISCLOSURE OF CHILD FATALITY RECORDS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

The committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 305, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS AND DIRECTLY AFFECT THE STATE BUDGET, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 565, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 569, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE NEWPORT-MOREHEAD BOUNDARIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 698, A BILL TO BE ENTITLED AN ACT RELATING TO MOREHEAD-NEWPORT ANNEXATIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 699, A BILL TO BE ENTITLED AN ACT RELATING TO MINIMUM HOUSING IN THE TOWN OF NEWPORT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 722, A BILL TO BE ENTITLED AN ACT RELATING TO BEAUFORT COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 768, A BILL TO BE ENTITLED AN ACT RELATING TO PROPERTY ACQUISITIONS BY LARGE WATER AND SEWER AUTHORITIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 789, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF OAKBORO, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 853, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN PHYSICIANS AND AUDIOLOGISTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 890, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.J.R. 956, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE CITY OF GOLDSBORO AND HONORING THE MEMORY OF MAJOR MATTHEW TILGHMAN GOLDSBOROUGH, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.B. 1033, A BILL TO BE ENTITLED AN ACT RELATING TO BANK CHARTERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1051, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DUTY OF HOSPITALS AND OTHER AGENCIES WITH RESPECT TO ORGAN PROCUREMENT AND DONATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1107, A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE COMPOSITION OF FACILITY AUTHORITIES AND THE LEVYING OF TAXES USED TO PAY FOR CAPITAL COSTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.J.R. 1152, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 1153, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE TOWN OF FRANKLINVILLE AND HONORING THE MEMORY OF JESSE FRANKLIN, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 1155, A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 321, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING HUNTING ON SUNDAY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 468, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS WITH RESPECT TO THE OPERATION OF MOTOR VEHICLES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 484, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 936, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES FOR LLAMA ACTIVITIES AND TO PROVIDE

QUALIFIED IMMUNITY FROM LIABILITY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY ON OR NEAR THE PREMISES AND TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO MAKE TRESPASSING WITH A MOTORIZED WHEELED OR TRACKED VEHICLE A MISDEMEANOR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 27, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE ESTABLISHMENT OF PYRAMID DISTRIBUTION

PLANS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 594, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CRIMINAL OFFENSE IF A PERSON COMMITS OR ATTEMPTS TO COMMIT A CRIMINAL ACT AND THE CRIMINAL ACT PROXIMATELY RESULTS IN THE DEATH OF A VIABLE FETUS OR A STILLBORN BIRTH, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 995, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ENTRY ON A PERSON'S LAND BY A SURVEYOR IN THE COURSE OF BUSINESS IS NOT TRESPASS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.J.R. 340,** A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Buchanan and without objection, **H.B. 524,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN A FUND FOR ALCOHOL STUDIES

ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is withdrawn from the Committee on Transportation and re-referred to the Committee on Appropriations.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 1136,** A BILL TO BE ENTITLED AN ACT TO REVISE THE STATE BOARD OF COMMUNITY COLLEGE ELECTION AND TO REVISE THE ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE LOCAL BOARDS OF TRUSTEES FOR COMMUNITY COLLEGES, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Dockham for the Committee on Insurance:

H.B. 165, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Sutton, the House adjourns at 7:07 p.m., in memory of our former colleagues who died from cancer while in office:

Representative Nick Jeralds and
Representative Ray Fletcher, and

also in memory of John Robert Kernodle, MD, who devoted so much of his life to the fight to conquer cancer, but recently developed the disease and succumbed to it in a very short time, to reconvene April 30 at 2:00 p.m.

FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 30, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Frank Hawley, South Brunswick Island Assembly of God Church, Ocean Isle, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 29 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (105-0).

A leave of absence is granted Representative Mercer for today. Representatives Luebke and Russell are excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 460,** A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO DESIGNATE WHO HAS THE DUTY TO ESTABLISH AND REVISE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 476,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES FOR VITAL RECORDS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 653, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 655,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF MADISON, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 750, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 773, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 779, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

H.B. 844, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO RESTRICT ANNEXATION OF THE CITY BEYOND A LINE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

H.B. 685, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THAT COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1142, A BILL TO BE ENTITLED AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY, reported without prejudice.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMANENTLY DISABLED DRIVERS DO NOT HAVE TO BE MEDICALLY RECERTIFIED WHEN RENEWING HANDICAPPED PLACARDS OR REGISTRATION PLATES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative McComas for the Permanent Subcommittee on Health of the Standing Committee on Insurance, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 1. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO DEVELOP AND IMPLEMENT A PLAN FOR PROVIDING LOW-COST HEALTH INSURANCE COVERAGE TO CHILDREN WHOSE PARENTS ARE ORDERED TO PROVIDE MEDICAL SUPPORT UNDER ORDERS ENFORCED BY THE DEPARTMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 1144, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL ENTER RECORDS OF SPEEDING IN SCHOOL ZONES CHARGED AS VIOLATIONS OF LOCAL ORDINANCES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

By Representative G. Wilson for the Permanent Subcommittee on Aging of the Standing Committee on Human Resources, with approval of

standing committee co-chairs, for report to be made directly to the floor of the House:

H.B. 897, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS PERTAINING TO THE NUMBER OF MEMBERS OF ADVISORY COMMITTEES OF NURSING HOMES AND REST HOMES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 1.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ELIMINATE INFRACTIONS FROM CONSIDERATION IN THE SAFE DRIVER INCENTIVE PLAN, TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS, AND TO PROHIBIT INSURANCE POINTS AND SURCHARGES IF BODILY INJURY DOES NOT OCCUR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 904, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE SHALL BE IMPOSED FOR A SECOND OR SUBSEQUENT CONVICTION OF A CLASS B1 FELONY IF THERE ARE NO MITIGATING CIRCUMSTANCES AND THE VICTIM IS THIRTEEN YEARS OF AGE OR YOUNGER, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 958, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONCEALED HANDGUN LAWS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 1. The original bill is placed on the Unfavorable Calendar.

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO RESTRICT ENTITLEMENT TO COUNSEL OF INDIGENT PERSONS TO THOSE INSTANCES IN WHICH THE FEDERAL COURTS HAVE INTERPRETED THE UNITED STATES CONSTITUTION TO REQUIRE THE APPOINTMENT OF COUNSEL, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair and without objection, the committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO PERMIT LENDERS TO CONTRACT FOR AND RECEIVE SHARED APPRECIATION IN CERTAIN CIRCUMSTANCES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 1.

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN CRIMINAL RECORD CHECKS TO BE CONDUCTED BY PRIVATE BUSINESS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 302, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TAKING OF CERTAIN WILDLIFE IN COUNTIES WHERE AN OUTBREAK OF RABIES HAS OCCURRED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 1. The original bill is placed on the Unfavorable Calendar.

By Representative Weatherly for the Committee on State Government:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED

SPORTSMEN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1069, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO ENCOURAGE THE HIRING INTO STATE GOVERNMENT EMPLOYMENT OF QUALIFIED WORK FIRST PROGRAM PARTICIPANTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO PERMANENTLY ASSIGN A HIGHWAY PATROL HELICOPTER AND THE NECESSARY OPERATING PERSONNEL TO ASHEVILLE TO SERVE THE WESTERN PART OF THE STATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Barbee for the Committee on Pensions and Retirement:

H.B. 1031, A BILL TO BE ENTITLED AN ACT TO PROVIDE A RETIREMENT INCENTIVE BY GRANTING A SEPARATION ALLOWANCE FOR ALL ELIGIBLE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, reported without prejudice as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RETIREMENT BY LAW ENFORCEMENT OFFICERS WITH UNREDUCED BENEFITS AFTER TWENTY YEARS OF SERVICE, REGARDLESS OF AGE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Culp for the Committee on Public Employees:

H.B. 868, A BILL TO BE ENTITLED AN ACT TO COVER TEMPOROMANDIBULAR JOINT DYSFUNCTION APPLIANCE THERAPY REGARDLESS OF CAUSE UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1135, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING INITIATIVE AND INNOVATIONS OF STATE EMPLOYEES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Insko and Hackney:

H.B. 1185, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A TEEN COURT PROGRAM IN ORANGE COUNTY, is referred to the Committee on Appropriations.

By Representatives Earle, Adams, Braswell, Clary, Easterling, H. Hunter, Mosley, Sutton, and Womble:

H.B. 1186, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND APPROPRIATE FUNDS FOR A STATE-COUNTY IN-HOME SPECIAL ASSISTANCE DEMONSTRATION PROJECT, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 19,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT STUDENTS MASTER THE BASICS AT ONE GRADE LEVEL BEFORE THEY ARE PROMOTED TO THE NEXT GRADE LEVEL, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 53,** A BILL TO BE ENTITLED AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS, is read the first time and referred to the Committee on Human Resources.

S.B. 437, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 486,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF ESTABLISHMENTS THAT ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 535,** A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF CHEROKEE, CLAY, GUILFORD, MACON, AND POLK COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 585,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM RATE OF THE LUMBERTON ROOM OCCUPANCY TAX FROM THREE PERCENT TO SIX PERCENT, AND TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX IF APPROVED BY THE VOTERS OF THE CITY, is read the first time and referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 625,** A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN EXCESS OF THE POSTED SPEED ON SCHOOL

GROUNDS AN INFRACTION, is read the first time and referred to the Committee on Judiciary I.

S.B. 626, A BILL TO BE ENTITLED AN ACT TO ESTABLISH IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES THE OFFICE OF WOMEN'S HEALTH, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 672,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 683, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, is read the first time and referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

S.B. 684, A BILL TO BE ENTITLED AN ACT AMENDING THE DURHAM CITY CHARTER TO RENAME THE SUBDIVISION REVIEW BOARD AND INCREASING THE NUMBER OF PERSONS WHO MAY SERVE ON THAT BOARD, is read the first time and referred to the Committee on Ways and Means.

S.B. 723, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR AND COUNCIL OF THE TOWN OF STONEVILLE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 786, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUBROGATION RIGHTS REQUIREMENTS FOR THE DIVISION OF VOCATIONAL REHABILITATION TO CONFORM WITH MEDICAID SUBROGATION, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

S.B. 800, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE AUTHORITY TO EMPLOY AN EXECUTIVE SECRETARY FOR THE JUDICIAL STANDARDS COMMISSION FROM THE COMMISSION AS A WHOLE TO THE COMMISSION CHAIR, is read the first time and referred to the Committee on Judiciary II.

S.B. 811, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SOUTHEASTERN NORTH CAROLINA REGIONAL ECONOMIC DEVELOPMENT COMMISSION TO HIRE AND CONTRACT FOR PERSONNEL, is read the first time and referred to the Committee on Commerce.

S.B. 842, A BILL TO BE ENTITLED AN ACT TO EXEMPT PERSONS PERFORMING CERTAIN ALTERATIONS, REMODELING, AND RENOVATIONS OF EXISTING BUILDINGS OR STRUCTURES FROM THE ARCHITECTURAL LICENSURE REQUIREMENTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 845,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION AND THE DIVISION OF AIR QUALITY OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, WITH THE ASSISTANCE AND COOPERATION OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION, TO STUDY THE COSTS AND BENEFITS OF EXPANDING THE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM FOR MOTOR VEHICLES, TO IMPROVE COMPLIANCE WITH THE CURRENT EMISSIONS INSPECTION AND MAINTENANCE PROGRAM, AND TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY WHETHER THE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM SHOULD BE TRANSFERRED FROM THE DIVISION OF MOTOR VEHICLES TO THE DIVISION OF AIR QUALITY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 848, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SECONDARY SUPPLIER OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, AND TO MAKE TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, is read the first time and referred to the Committee on Commerce.

S.B. 891, A BILL TO BE ENTITLED AN ACT TO UPDATE AND REVISE THE LAWS AFFECTING LOCAL GOVERNMENT CONTRACTING, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 987,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

S.B. 992, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO THE NORTH CAROLINA BOXING COMMISSION, is read the first time and referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

S.B. 996, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE PLUMBING LICENSURE REQUIREMENTS CERTAIN PERSONS PERFORMING ON-SITE ASSEMBLY OF FACTORY DESIGNED DRAIN SYSTEMS UNDERNEATH MANUFACTURED HOMES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 1011,** A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS TO ADMIT OTHERWISE ELIGIBLE CHILDREN TO KINDERGARTEN AFTER THE FIRST MONTH OF SCHOOL, is read the first time and referred to the Committee on Education.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

House Committee Substitute for **S.B. 272,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT.

Representative Arnold offers Amendment No. 1 which is adopted by electronic vote (117-0).

Representative Hightower offers Amendment No. 2 which is adopted by electronic vote (61-57).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (86-33).

The bill, as amended, passes its second reading by electronic vote (114-5).

Representative Allred objects to the third reading. The bill remains on the Calendar.

Representative Allred withdraws his objection to the third reading and the bill is before the Body.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute No. 2 for **H.B. 431,** A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hill, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McComas, McCombs, McCrary, McMahan, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Fitch, Hackney, Hardaway, Hensley, H. Hunter, Luebke, McAllister, and Michaux - 8.

Excused absence: Representative Mercer.

Committee Substitute for **H.B. 896,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF-CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL

NEEDS OF LARGE CHILD DAY CARE HOMES AND REGARDING RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT.

Representative Gardner offers Amendment No. 1 which is adopted by electronic vote (111-1).

Representative Creech offers Amendment No. 2 which is adopted by electronic vote (115-0).

The bill, as amended, passes its third reading, by electronic vote (113-1), and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 536,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED.

Representative C. Wilson offers Amendment No. 1.

Representative Nesbitt offers a perfecting amendment.

The Chair rules that the amendment is not perfecting and the amendment is returned to the member.

Amendment No. 1 fails of adoption by electronic vote (56-63).

Representative Adams offers an amendment. The Chair rules that the amendment is out of order and the amendment is returned to the member.

Representative Adams offers Amendment No. 2 which is adopted by electronic vote (89-25).

Representative Nesbitt offers Amendment No. 3 which fails of adoption by electronic vote (58-60).

Representative Insko offers Amendment No. 4 which is adopted by electronic vote (76-37).

Representative C. Wilson calls the previous question on the passage of the bill and the call is sustained by electronic vote (64-50).

The bill, as amended, passes its second reading by electronic vote (78-39).

Representative Easterling objects to the third reading. The bill remains on the Calendar.

Representative Easterling withdraws her objection to the third reading and the bill is before the Body.

Representative Insko offers Amendment No. 5.

The Speaker stops debate and attends to the following business.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Allred for the Committee on Ways and Means:

H.B. 816, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF HOPE MILLS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

H.B. 316, A BILL TO BE ENTITLED AN ACT MODIFYING THE MANNER OF DESIGNATING POSITIONS AS EXEMPT FROM THE STATE PERSONNEL ACT, REQUIRING THE APPROVAL OF THE GENERAL ASSEMBLY BEFORE CERTAIN POSITIONS MAY BE DESIGNATED AS POLICY-MAKING CONFIDENTIAL POSITIONS EXEMPT FROM THE STATE PERSONNEL ACT, AND CHANGING THE TREATMENT OF POLICY-MAKING CONFIDENTIAL EMPLOYEES RELATIVE TO COVERAGE UNDER CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 1. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 344,** A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of May 1. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON FROM REPRESENTING THAT THE PERSON PROVIDES OR OBTAINS DEBT CONSOLIDATION WHEN THE SERVICE THAT PERSON PRIMARILY PROVIDES IS RELATED TO BANKRUPTCY PROCEEDINGS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 1.

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO AMEND RULE 68 OF THE RULES OF CIVIL PROCEDURE REGARDING OFFERS OF JUDGMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 1. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 382, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOBBYISTS MAY NOT GIVE TO CANDIDATES FOR CERTAIN OFFICES AT ANY TIME, AND TO PROVIDE THAT LOBBYISTS MAY NOT ADVISE POLITICAL ACTION COMMITTEES AS TO HOW TO DISTRIBUTE THEIR FUNDS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 1. The original bill is placed on the Unfavorable Calendar.

H.B. 437, A BILL TO BE ENTITLED AN ACT RELATING TO THE GOVERNANCE OF SURRY COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.J.R. 1054, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar of May 1.

By Representative Neely for the Committee on Judiciary II:

H.B. 823, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS FOR THE RESIGNATION, REMOVAL, AND RENUNCIATION OF TRUSTEES AND FOR THE APPOINTMENT OF SUCCESSOR TRUSTEES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 1. The original bill is placed on the Unfavorable Calendar.

H.B. 999, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE SOIL AND WATER CONSERVATION COMMISSION TO CONDUCT INSPECTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 564,** A BILL TO BE ENTITLED AN ACT TO ALLOW DENTAL HYGIENISTS TO PERFORM ACTS WITHOUT THE DIRECT SUPERVISION OF A LICENSED DENTIST AND TO ALLOW DENTISTS TO EMPLOY MORE THAN TWO DENTAL HYGIENISTS AT ONE TIME, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of May 1. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 872, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS RULES OF CIVIL PROCEDURE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CRUELTY TO ANIMALS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1059,** A BILL TO BE ENTITLED AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 1. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, the following bills are withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Agriculture:

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSPORTATION AND RESALE OF THE EDIBLE PARTS OF BEAR AND DEER TAKEN IN ANOTHER STATE; and

H.B. 357, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS IMPOSED BY GENERAL PERMITS FOR CERTAIN ANIMAL OPERATIONS.

On motion of Representative Morgan and without objection, the following bills are withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House:

H.B. 224, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ENCOURAGE THE REDEVELOPMENT OF BROWN-FIELDS BY APPROVING THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES AND ON OIL OR HAZARDOUS SUBSTANCE DISCHARGES OR RELEASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY STUDENT DISCIPLINE AND METHODS TO INCREASE PARENTAL INVOLVEMENT;

H.B. 321, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING HUNTING ON SUNDAY; and

H.B. 707, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OPTIONS FOR PUPIL ASSIGNMENT WITHIN THE PUBLIC SCHOOLS.

On motion of the Chair, the House recesses at 5:00 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Committee Substitute for **H.B. 536,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, with pending Amendment No. 5, is before the Body.

Representative Michaux raises the point of a quorum. Seventy members being present, the Chair declares a quorum.

Amendment No. 5 is adopted by electronic vote (65-12).

Representative Easterling offers Amendment No. 6 which fails of adoption by electronic vote (54-62).

Representative Gamble moves that Rule 31(d) be suspended in order that he might offer an amendment which would amend the caption.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (70-48).

The motion to suspend the rules fails by electronic vote (50-69).

Representative C. Wilson calls the previous question on the passage of the bill and the call is sustained by electronic vote (69-49).

The bill, as amended, passes its third reading, by electronic vote (77-42), and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 908,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE RIGHTS OF A DECEDENT'S SPOUSE, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 410, A BILL TO BE ENTITLED AN ACT ENACTING AND ENTERING INTO THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXEMPTION FOR ANNOUNCING REQUIREMENTS OF CAPITAL

IMPROVEMENT PROJECT DESIGNS, passes its second reading, by electronic vote (109-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 499, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS, passes its second reading, by electronic vote (110-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 652,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE STATUTES GOVERNING THE OFFICE OF THE STATE AUDITOR, passes its second reading, by electronic vote (110-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 739,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW.

Representative Cole requests that he be excused from voting on this bill under Rule 24.1A, because he is a franchised automobile dealer, and this request is granted.

The bill passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS, passes its second reading by electronic vote (80-38).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Representative Morgan moves that Rule 41(b) be suspended in order that the bill might receive its third reading today. The motion fails of a two-thirds majority by electronic vote (69-45).

Committee Substitute for **H.B. 1120,** A BILL TO BE ENTITLED AN ACT TO ALLOW PRESCRIBED BURNING IN FORESTS BY FOREST LANDOWNERS UNDER CERTAIN CONDITIONS, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 402,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN INFRACTION FOR CERTAIN ALCOHOL-RELATED OFFENSES MAY BE EXPUNGED FROM A PERSON'S RECORD AFTER A DISMISSAL OR UPON A FINDING OF NOT RESPONSIBLE, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 597,** A BILL TO BE ENTITLED AN ACT TO BROADEN THE AUTHORITY OF MUNICIPALITIES AND HOSPITAL AUTHORITIES REGARDING LEASES AND JOINT VENTURES, passes its second reading, by electronic vote (91-22), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 994, A BILL TO BE ENTITLED AN ACT TO ALLOW PAY TELEPHONE PROVIDERS TO OBTAIN LINE ACCESS FROM COMPETITIVE LOCAL PROVIDERS OF TELEPHONE SERVICE AND TO ELIMINATE THE STATUTORY REQUIREMENT THAT LINE ACCESS RATES BE SET ON A MEASURED RATE BASIS, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE.

Representative Morgan moves that the bill be withdrawn from the Calendar and placed on the Calendar of May 1.

Representative Morgan withdraws his motion.

The bill passes its second reading, by electronic vote (108-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 617,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SCHOOL BUSES AND SCHOOL ACTIVITY BUSES MAY NOT COMPETE WITH THE PRIVATE SECTOR, passes its second reading, by electronic vote (105-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 651,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES.

Representative Capps moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

The motion fails by electronic vote (25-85).

The bill passes its second reading, by electronic vote (83-27), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 940, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A REAL ESTATE BROKER AND REAL ESTATE SALESPERSON ARE NOT EMPLOYEES WITHIN THE MEANING OF THE WORKERS' COMPENSATION ACT.

Pursuant to Rule 24.1A, Representative Michaux requests that he be excused from voting on this bill, because he is a licensed agent and broker. Representative Hensley requests that he be excused from voting because his wife is an employed real estate agent or salesperson under the statute. These requests are granted.

Representative Redwine calls the previous question on the passage of the bill and the call is sustained by electronic vote (93-17).

The bill passes its second reading, by electronic vote (82-26), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Brown for the Committee on Agriculture:

H.B. 357, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS IMPOSED BY GENERAL PERMITS FOR CERTAIN ANIMAL OPERATIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSPORTATION AND RESALE OF THE EDIBLE PARTS OF BEAR AND DEER TAKEN IN ANOTHER STATE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 470, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF COUNTY MEDICAL INVESTIGATORS.

Representative Tallent offers Amendment No. 1 which is adopted by electronic vote (109-1).

The bill, as amended, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, the following bills are withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House:

H.B. 777, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION OR INITIATE ANNEXATION BY RESOLUTION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF KINGS MOUNTAIN; and

H.B. 778, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO EXTEND ITS EXTRA-TERRITORIAL JURISDICTION TWO MILES FROM ITS CITY LIMITS.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 753, A BILL TO BE ENTITLED AN ACT TO MOVE A PARCEL OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ABERDEEN AND TO THE TOWN OF SOUTHERN PINES, AND TO ANNEX A PARCEL OF PROPERTY TO THE TOWN OF ABERDEEN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absence: Representative Mercer.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 810,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols,

Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absence: Representative Mercer.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absence: Representative Mercer.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 843,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Baker, Barbee, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absence: Representative Mercer.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 748, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absence: Representative Mercer.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 578,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE SINGLE-MEMBER LEGISLATIVE DISTRICTS.

Representative Michaux offers Amendment No. 1.

Representative Michaux withdraws his amendment.

Representative Thompson offers Amendment No. 2.

Representative Nesbitt moves that the bill, with pending amendment, be withdrawn from the Calendar and re-referred to the Committee on Election Law and Campaign Reform.

Representative Ellis moves, seconded by Representative Starnes, that the motion to re-refer be tabled. The motion fails by electronic vote (29-84).

Representative Nesbitt calls the previous question on the motion to re-refer and the call is sustained by electronic vote (91-22).

The motion to re-refer carries by electronic vote (69-46).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 165,** A BILL TO BE ENTITLED AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 502,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE IN THE

DEALERS AND MANUFACTURERS LICENSING LAW TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES.

Pursuant to Rule 1, the Speaker stops debate and attends to the following business.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 228,** A BILL TO BE ENTITLED AN ACT TO IMPOSE A CRIMINAL PENALTY FOR THE WILLFUL FAILURE TO REPORT CHILD ABUSE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 417,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING, is read the first time and referred to the Committee on Transportation.

S.B. 427, A BILL TO BE ENTITLED AN ACT TO INCLUDE WOOD CHIP TRANSPORTERS IN THE LIGHT DUTY ROAD WEIGHT EXEMPTIONS, is read the first time and referred to the Committee on Transportation.

S.B. 548, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN STOKES COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 699,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PLACE OF BUSINESS OF A MOTOR VEHICLE DEALER WHO SELLS ONLY TRAILERS OR SEMITRAILERS DOES NOT HAVE TO MEET THE REQUIREMENTS SET FOR AN ESTABLISHED OFFICE OR SALESROOM OF A MOTOR VEHICLE DEALER, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary I.

Committee Substitute for **S.B. 714,** A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE

POLICIES, HOSPITAL OR MEDICAL SERVICE PLANS, HMO PLANS, AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, TO PROVIDE COVERAGE FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM MASTECTOMY, is read the first time and referred to the Committee on Insurance.

Committee Substitute for **S.B. 764,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 816,** A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE NEED TO OBTAIN PRIOR APPROVAL FROM THE WILDLIFE RESOURCES COMMISSION TO RAISE YELLOW PERCH COMMERCIALLY IN SOME AREAS OF THE STATE AND TO ALLOW ALLIGATORS TO BE RAISED COMMERCIALLY, is read the first time and referred to the Committee on State Government and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 843,** A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES; AND TO EXTEND THE EXPIRATION DATE OF THE 1986 RISK SHARING PLAN LAW, is read the first time and referred to the Committee on Insurance.

S.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION, is read the first time and referred to the Committee on Judiciary II.

S.B. 910, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS ON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS, is read the first time and referred to the Committee on Judiciary I.

S.B. 914, A BILL TO BE ENTITLED AN ACT TO REVISE THE REIMBURSEMENT METHODOLOGY FOR HOSPITAL CHARGES UNDER WORKERS' COMPENSATION, is read the first time and referred to the Committee on Insurance.

Committee Substitute for **S.B. 1030,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PROJECT EXPEDITERS ON PUBLIC CONTRACTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 245,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE METROPOLITAN SEWERAGE DISTRICTS AND CERTAIN SANITARY DISTRICTS TO USE INSTALLMENT PURCHASE FINANCING TO THE SAME EXTENT AS OTHER UNITS OF LOCAL GOVERNMENT, is read the first time and referred to the Committee on Environment and, if favorable, to the Committee on Finance.

S.B. 325, A BILL TO BE ENTITLED AN ACT TO EXEMPT A SWORN LAW ENFORCEMENT OFFICER OR A RETIRED SWORN LAW ENFORCEMENT OFFICER FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR A PERMIT WITHIN TWO YEARS OF RETIREMENT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 474,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF CORNELIUS, DAVIDSON, DURHAM, GARNER, HUNTERSVILLE, KNIGHTDALE, AND NAGS HEAD TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES WITHIN THE TOWNS, is read the first time and referred to the Committee on Ways and Means.

Representative Morgan moves, seconded by Representative Black, that the House adjourn, subject to the reading of notices and announcements, to reconvene May 1, at 10:00 a.m. The motion carries.

The House stands adjourned at 9:00 p.m.

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 1, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Frank Hawley, Ocean Isle, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-0).

Representatives Allred, Luebke, Miller, Nichols, Oldham, Russell, and Shubert are excused for a portion of the session.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Decker and G. Wilson:

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN COUNTY AND CITY PURCHASES FROM STATE AND LOCAL SALES TAX, is referred to the Committee on Finance.

By Representatives Decker, Blue, Capps, Eddins, McMahan, Miner, Mosley, Neely, Nichols, Nye, Sexton, C. Wilson, G. Wilson, and Womble:

H.B. 1188, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES PAID ON PURCHASES MADE WITH THE PROCEEDS OF LOCAL VOTER-APPROVED BONDS AND TO REQUIRE THE REFUNDS TO BE USED ONLY FOR THE PURPOSES FOR WHICH THE BONDS WERE APPROVED, is referred to the Committee on Finance.

By Representatives Decker, Adams, Barbee, Brown, Capps, Carpenter,

Davis, Easterling, Eddins, Gulley, Howard, Justus, Luebke, Moore, Nye, Reynolds, Starnes, Tallent, Warner, C. Wilson, Womble, and Wood:

H.B. 1189, A BILL TO BE ENTITLED AN ACT TO INCREASE TAXES ON BEER AND WINE, TO DISTRIBUTE THE RESULTING REVENUES TO LOCAL GOVERNMENTS FOR SUBSTANCE ABUSE TREATMENT, MEDICAID COSTS, INFRASTRUCTURE, AND EDUCATION, AND TO REDUCE THE FOOD TAX BY ONE CENT, is referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

By Representative Nye:

H.B. 1190, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF VOCATIONAL REHABILITATION, FOR COMMUNITY REHABILITATION PROGRAMS FACILITIES AND EQUIPMENT IMPROVEMENTS, is referred to the Committee on Appropriations.

By Representatives Warner, Church, Cole, Fox, Hill, Hurley, Kinney, McAllister, Morris, Oldham, and Yongue:

H.J.R. 1191, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LOYD EDWARD AUMAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Daughtry, Neely, and Baddour (Co-Sponsors):

H.J.R. 1192, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FUTURE OF THE COURTS IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brown, McCrary, Mitchell, and G. Wilson:

H.B. 1193, A BILL TO BE ENTITLED AN ACT TO CREATE AN AGRICULTURAL FAIRS ADVISORY COMMITTEE IN THE DEPARTMENT OF AGRICULTURE AND TO APPROPRIATE FUNDS FOR LOCAL AGRICULTURAL FAIRS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representative McMahan:

H.B. 1194, A BILL TO BE ENTITLED AN ACT TO IMPOSE A USER SURCHARGE ON CERTAIN SHORT-TERM CAR RENTALS, TO USE THE PROCEEDS OF THE TAX TO COMPENSATE RENTAL CAR COMPANIES FOR THE AMOUNT OF VEHICLE REGISTRATION FEES AND PROPERTY TAXES PAID ON THEIR RENTAL CARS, AND TO DISTRIBUTE ANY REMAINING PROCEEDS TO THE HIGHWAY FUND AND THE HIGHWAY TRUST FUND, is referred to the Committee on Finance.

By Representatives Warwick, Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Mitchell, Moore, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 1195, A BILL TO BE ENTITLED AN ACT TO ASSIST BUSINESS, INDUSTRY, AGRICULTURE, AND LOCAL GOVERNMENT IN ATTAINING CLEANER AIR, WATER, AND LAND RESOURCES BY CREATING AND FUNDING THE ENVIRONMENTAL IMPACTS STUDY COMMISSION, WHICH SHALL IDENTIFY AND PRIORITIZE SOURCES OF ENVIRONMENTAL POLLUTION AND IDENTIFY TECHNOLOGIES AND METHODOLOGIES TO REDUCE THE ADVERSE ENVIRONMENTAL IMPACTS OF ACTIVITIES OF THESE SECTORS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ives:

H.B. 1196, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TRANSYLVANIA VOCATIONAL SERVICES, INC., IN CONSTRUCTING A NEW FACILITY, is referred to the Committee on Appropriations.

By Representatives Fox and Luebke:

H.B. 1197, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A STUDY OF THE ESTABLISHMENT OF A STATEWIDE REGISTRY OF PERSONS WHO HAVE EXECUTED LIVING WILLS AND WHO HAVE CONSENTED TO BE ORGAN DONORS, AND TO APPROPRIATE FUNDS THEREFOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Reynolds, Clary, and Shubert:

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE INTEREST ACCUMULATED EACH QUARTER BY THE SAVINGS RESERVE ACCOUNT TO THE SCHOOL TECHNOLOGY FUND AND TO APPROPRIATE FUNDS FOR THE SCHOOL TECHNOLOGY FUND, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Shubert, Morris, Preston, and G. Wilson:

H.B. 1199, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY INCENTIVES FOR ACADEMIC EXCELLENCE, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 502,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE IN THE DEALERS AND MANUFACTURERS LICENSING LAW TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES.

On motion of Representative Ellis and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 900,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE WATER QUALITY OF THE SURFACE WATERS OF THIS STATE BY FURTHER LIMITING THE AMOUNT OF NITROGEN THAT CERTAIN LARGE FACILITIES DISCHARGE TO NUTRIENT SENSITIVE WATERS WHERE NITROGEN IS A NUTRIENT OF CONCERN, TO AUTHORIZE THE USE OF UP TO

TWENTY-FIVE PERCENT OF THE FUNDS IN THE CLEAN WATER MANAGEMENT TRUST FUND FOR A PORTION OF THE COSTS TO LOCAL GOVERNMENTS OF MODIFYING EXISTING FACILITIES TO ACHIEVE FURTHER REDUCTIONS OF NITROGEN, AND TO AUTHORIZE THE USE OF THE CLEAN WATER MANAGEMENT TRUST FUND FOR LOANS, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 303,** A BILL TO BE ENTITLED AN ACT TO BAN PARTIAL-BIRTH ABORTIONS.

Representative Berry offers Amendment No. 1.

Representative Berry calls the previous question on the amendment and the call is sustained by electronic vote (93-23).

Amendment No. 1 is adopted by electronic vote (71-46).

Representative Aldridge calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-51).

The bill, as amended, passes its second reading by electronic vote (85-31).

Representative McAllister objects to the third reading. The bill remains on the Calendar.

Representative McAllister withdraws her objection and the bill is before the Body on its third reading.

The bill, as amended, passes its third reading, by electronic vote (86-31), and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1008, A BILL TO BE ENTITLED AN ACT REGARDING THE EDUCATIONAL REQUIREMENTS FOR CHIROPRACTIC LICENSURE AND TO AUTHORIZE THE BOARD TO LICENSE PERSONS WHO HAVE PASSED THE NATIONAL CHIROPRACTIC EXAMINATION,

passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 964,** A BILL TO BE ENTITLED AN ACT TO REVISE AND STRENGTHEN THE SYSTEM OF LEGISLATIVE ETHICS.

Representative Grady offers Amendment No. 1.

Representative Neely moves that the bill with pending amendment be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Neely calls the previous question on the motion and the call is sustained by electronic vote (96-22).

The motion to re-refer carries by electronic vote (77-42).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 511,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC SCHOOL LAWS TO ENSURE THAT EVOLUTION IS NOT TAUGHT AS FACT IN NORTH CAROLINA SCHOOLS.

Representative Grady offers Amendment No. 1 which is adopted by electronic vote (81-36).

The bill, as amended, passes its second reading, by electronic vote (73-43), and there being no objection is read a third time.

A division having been called, the bill, as amended, passes its third reading, by electronic vote (71-46), and is ordered engrossed and sent to the Senate by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 897,** A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS

PERTAINING TO THE NUMBER OF MEMBERS OF ADVISORY COMMITTEES OF NURSING HOMES AND REST HOMES, is withdrawn from the Calendar and re-referred to the Committee on Human Resources, Subcommittee on Aging.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

Committee Substitute for **H.B. 506,** A BILL TO BE ENTITLED AN ACT RELATING TO HERTFORD COUNTY;

H.B. 570, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN THEIR RESPECTIVE SPHERES OF INFLUENCE;

Committee Substitute for **H.B. 604,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF MOREHEAD CITY AND NEWPORT TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION OVER AN AREA EXTENDING NOT MORE THAN TWO MILES FROM THEIR CORPORATE LIMITS;

Committee Substitute for **H.B. 698,** A BILL TO BE ENTITLED AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS;

Committee Substitute for **H.B. 722,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WASHINGTON TO NEGOTIATE ANNEXATION AGREEMENTS;

Committee Substitute for **H.B. 789,** A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE TOWN OF OAKBORO; and

Committee Substitute for **H.B. 804,** A BILL TO BE ENTITLED AN ACT TO GIVE LINCOLN COUNTY AUTHORITY TO BUILD AND IMPROVE ROADS WITHIN LINCOLN COUNTY THAT ARE NOT PART OF THE STATE HIGHWAY SYSTEM.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 194,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) PROVIDE FOR CONTINUING EDUCATION REQUIREMENTS FOR, AND THE EXPIRATION AND RENEWAL OF, CERTIFICATES ISSUED BY THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION; (2) INCLUDE CONSIDERATION OF THE COMPLIANCE HISTORY IN OTHER STATES OF AN APPLICANT FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT; (3) CLARIFY THE DISTINCTION BETWEEN A PUBLIC HEARING AND A PUBLIC MEETING IN CONNECTION WITH AN APPLICATION FOR A WATER QUALITY PERMIT; (4) ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE ITS POWERS BY RESOLUTION RATHER THAN BY RULE; (5) CLARIFY THE ASSESSMENT OF CIVIL PENALTIES FOR CONTINUING VIOLATIONS OF AIR QUALITY STANDARDS; (6) REESTABLISH A SCHEDULE OF SIX-YEAR STAGGERED TERMS FOR THE MINING COMMISSION; AND (7) REESTABLISH A SCHEDULE OF TWO-YEAR STAGGERED TERMS FOR THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.J.R. 211,** A JOINT RESOLUTION COMMEMORATING THE MEMORY OF RELIGIOUS LEADERS IN THE STATE OF NORTH CAROLINA AND NAMING BILLY GRAHAM AS WORLD EVANGELIST, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 896,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE PRACTICE OF LAW BY ATTORNEYS REPRESENTING CORPORATIONS, is read the first time and referred to the Committee on Judiciary II.

S.B. 897, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE ELECTRONIC SURVEILLANCE LAW, is read the first time and referred to the Committee on Judiciary I.

S.B. 919, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCONTINUATION OF TELECOMMUNICATIONS SERVICES USED

FOR UNLAWFUL PURPOSE, is read the first time and referred to the Committee on Judiciary I.

S.B. 929, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Finance.

S.B. 930, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE MUTUAL BURIAL ASSOCIATION COMMISSION AND TO TRANSFER ITS DUTIES TO THE BOARD OF MORTUARY SCIENCE, is read the first time and referred to the Committee on State Government and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 940,** A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE TREASURER TO CONDUCT A STUDY OF THE PERMISSIBLE INVESTMENTS FOR LOCAL UNITS OF GOVERNMENT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 947,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF THAT MUST BE SATISFIED TO OBTAIN A CERTIFICATE AUTHORIZING AN INTERBASIN TRANSFER OF SURFACE WATERS, TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY ISSUES RELATING TO INTERBASIN TRANSFERS, AND TO IMPOSE A TEMPORARY MORATORIUM ON CERTAIN INTERBASIN TRANSFERS DURING THE PENDENCY OF THE STUDY, is read the first time and referred to the Committee on Environment and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

S.B. 959, A BILL TO BE ENTITLED AN ACT TO EXEMPT MODULAR CONSTRUCTION CERTIFYING AGENCIES FROM CHAPTER 89C OF THE GENERAL STATUTES WHILE PRACTICING EXCLUSIVELY AS CERTIFYING AGENCIES, is read the first time and referred to the Committee on Commerce.

S.B. 1028, A BILL TO BE ENTITLED AN ACT TO ALLOW A CONTRACTOR, ON BEHALF OF A SUBCONTRACTOR, TO FILE AN ACTION AGAINST THE OWNER REGARDING A CLAIM ARISING OUT OF THE CONTRACT BETWEEN THE SUBCONTRACTOR AND THE CONTRACTOR FOR THE SAME PROJECT THAT IS THE

SUBJECT OF THE CONTRACT BETWEEN THE CONTRACTOR AND THE OWNER, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1054, A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES, CITIES, AND LOCAL BOARDS OF EDUCATION TO ESTABLISH REQUIREMENTS CONCERNING DOING BUSINESS WITH THE UNION OF MYANMAR, FORMERLY BURMA, IN PROJECTS FINANCED BY PUBLIC FUNDS, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Judiciary I.

Committee Substitute for **S.B. 1055,** A BILL TO BE ENTITLED AN ACT ESTABLISHING THE PUBLIC HOSPITAL PERSONNEL ACT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.J.R. 1072, A JOINT RESOLUTION INVITING THE HONORABLE JESSE A. HELMS, UNITED STATES SENATOR, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 5, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES, which passed the Senate by a three-fifths majority vote, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 34,** A BILL TO BE ENTITLED AN ACT TO ADJUST THE SHARE THE CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX TO MAKE THE DISTRIBUTION MORE EQUITABLE AND TO ALLOW THE DEPARTMENT OF REVENUE TO GIVE CITY FINANCE OFFICIALS INFORMATION NEEDED TO VERIFY THE ACCURACY OF A CITY'S DISTRIBUTION, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 263,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT SO THAT NONRESIDENT ALIENS RECEIVE COMPENSATION EQUAL TO

THAT RECEIVED BY OTHER WORKERS UNDER THE ACT, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 323,** A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX CREDIT FOR EXPENDITURES TO REHABILITATE HISTORIC STRUCTURES, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 430,** A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE PROFESSION OF INDUSTRIAL HYGIENISTS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 442,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY, is read the first time and referred to the Committee on Education.

S.B. 552, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY IN HUNTING BIG GAME, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 579,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF LENOIR TO ALLOW SALARY INCREASES FOR THE CITY COUNCIL AND THE MAYOR AND TO ALLOW THE MAYOR TO BE ELECTED FOR A TERM OF FOUR YEARS, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 673,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is read the first time and referred to the Committee on Pensions and Retirement.

Committee Substitute for **S.B. 726,** A BILL TO BE ENTITLED AN ACT ESTABLISHING BINDING JOINT PLANNING AND ZONING JURISDICTION FOR THE SWIFT CREEK AREA IN WAKE COUNTY SUBJECT TO MODIFICATION ONLY BY INTERLOCAL AGREEMENT BY AND BETWEEN ALL JURISDICTIONS INVOLVED OR BY ACTION OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 741,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 809,** A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA APPRAISERS ACT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 833,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is read the first time and referred to the Committee on Appropriations.

S.B. 837, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO SPORTS CLUBS, is read the first time and referred to the Committee on Commerce.

S.B. 838, A BILL TO BE ENTITLED AN ACT TO ESTABLISH TOURISM RESORTS AND TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO THESE ENTITIES, is read the first time and referred to the Committee on Commerce.

S.B. 859, A BILL TO BE ENTITLED AN ACT TO ALLOW PRESCRIBED BURNING IN FORESTS BY FOREST LANDOWNERS UNDER CERTAIN CONDITIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 862,** A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA IN NEGOTIATING CERTAIN CONTRACTS AND CAPITAL PROJECTS, TO INCREASE THE BENCHMARK FOR PURCHASES BY THE UNIVERSITY OF NORTH CAROLINA AND OTHER STATE AGENCIES, AND TO AUTHORIZE EMPLOYEE PAYROLL DEDUCTIONS FOR CERTAIN DISCRETIONARY PRIVILEGES OF UNIVERSITY SERVICE AT THE UNIVERSITY OF NORTH

CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 918,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 958,** A BILL TO BE ENTITLED AN ACT TO ALLOW STUDENTS WHO RESIDE WITH DOMICILIARIES OF A LOCAL SCHOOL ADMINISTRATIVE UNIT TO ATTEND THE PUBLIC SCHOOLS OF THAT UNIT WITHOUT THE PAYMENT OF TUITION, is read the first time and referred to the Committee on Education.

S.B. 966, A BILL TO BE ENTITLED AN ACT TO MAKE NO DAMAGE FOR DELAY CLAUSES IN PUBLIC CONTRACTS UNENFORCEABLE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 975, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS CONCERNING EMPLOYER AND EMPLOYER GROUP WORKERS' COMPENSATION SELF-INSURANCE AND CODIFY RELATED ADMINISTRATIVE RULES AND TO PROVIDE FOR GUIDELINES FOR PERSONS AND ENTITIES THAT ADMINISTER OR SERVICE WORKERS' COMPENSATION BUSINESS FOR SELF-INSURED EMPLOYERS AND EMPLOYER GROUPS, is read the first time and referred to the Committee on Insurance.

Committee Substitute for **S.B. 994,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES TO CONSUMERS IN NORTH CAROLINA, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 307,** A BILL TO BE ENTITLED AN ACT TO UNDERTAKE THE REORGANIZATION OF THE DEPARTMENT OF HUMAN RESOURCES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 826, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY

SCHOOL BOARDS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 872,** A BILL TO BE ENTITLED AN ACT TO ALLOW TEENAGERS WHO ARE FOURTEEN OR FIFTEEN YEARS OLD TO WORK AT CERTAIN PLACES THAT SELL ALCOHOLIC BEVERAGES, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 1027,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE HIGH-VOLTAGE LINE SAFETY ACT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 317,** A BILL TO BE ENTITLED AN ACT TO ALLOW ALL COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR LOCAL BOARDS OF EDUCATION, TO PROVIDE THAT EXISTING LOCAL GOVERNMENT DEBT STATEMENT REQUIREMENTS AND DEBT LIMITATIONS APPLY TO INSTALLMENT CONTRACT AND LEASE DEBTS, TO REQUIRE LOCAL GOVERNMENT COMMISSION APPROVAL OF MORE NONVOTED DEBTS, AND TO CAP THE AMOUNT OF INSTALLMENT CONTRACT AND LEASE DEBT COUNTIES AND CITIES MAY INCUR, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 372,** A BILL TO BE ENTITLED AN ACT TO AMEND, FOR SERVICE IN A CIVIL ACTION UPON A DEFENDANT LOCATED OUTSIDE THE UNITED STATES, THE TIME LIMITS REGARDING THE SECURING OF AN ENDORSEMENT UPON THE ORIGINAL SUMMONS OR THE SUING OUT OF AN ALIAS OR PLURIES SUMMONS WHEN THE DEFENDANT IS NOT SERVED WITHIN THE TIME ALLOWED FOR SERVICE, is read the first time and referred to the Committee on Judiciary II.

S.B. 409, A BILL TO BE ENTITLED AN ACT TO PERMIT AIRPORT LAW ENFORCEMENT AGENCIES TO ENTER COOPERATION AGREEMENTS WITH OTHER LAW ENFORCEMENT AGENCIES, is read the first time and referred to the Committee on Judiciary I.

S.B. 554, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 573,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO STATUTES CONCERNING BALLOT ACCESS

FOR POLITICAL PARTIES, is read the first time and referred to the Committee on Election Law and Campaign Reform.

Committee Substitute for **S.B. 577,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING INSURANCE PREMIUM FINANCING, is read the first time and referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 611,** A BILL TO BE ENTITLED AN ACT TO PROTECT INSURANCE POLICYHOLDERS BY SETTING STANDARDS FOR THE FRONTING OF INSURANCE BUSINESS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 616,** A BILL TO BE ENTITLED AN ACT TO LIMIT APPEALS TO LOCAL BOARDS OF EDUCATION, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 565,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANK'S RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH AND TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 725,** A BILL TO BE ENTITLED AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OR LOCAL GOVERNMENT EMPLOYEES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 744, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING GRANDPARENTS' LIABILITY FOR CERTAIN CHILD SUPPORT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 757,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 765, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO DEDICATE ADEQUATE FUNDING TO STUDENTS IN ALTERNATIVE SCHOOLS, is read the first time and referred to the Committee on Education.

S.B. 797, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO LAWS RELATING TO SMALL EMPLOYER GROUP HEALTH INSURANCE, GROUP HEALTH INSURANCE CONTINUATION, MEDICARE SUPPLEMENT INSURANCE, GROUP LIFE INSURANCE POLICIES, LIFE INSURANCE SALES, AND UNFAIR TRADE PRACTICES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 824, A BILL TO BE ENTITLED AN ACT TO ADD A DOWNTOWN DEVELOPMENT REPRESENTATIVE TO THE MEMBERSHIP OF THE BUILDING CODE COUNCIL, is read the first time and referred to the Committee on Commerce.

S.B. 876, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO CRIMINAL BACKGROUND CHECKS REQUIRED TO BE OBTAINED BY NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **H.B. 483,** A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEEDINGS BY SCHOOL BOARDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

On motion of the Chair, the House recesses at 1:03 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 734,** A BILL TO BE ENTITLED AN ACT TO CLARIFY G.S. 153A-15 TO EXEMPT PUBLIC WATER SUPPLY AND DISTRIBUTION SYSTEMS FROM THE REQUIREMENT OF OBTAINING CONSENT FROM COUNTY BOARDS OF COMMISSIONERS FOR CERTAIN COUNTIES, passes its second reading, by electronic vote (79-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 354, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT OF CERTIFIED MAIL NOTICE IN BOND FORFEITURE CASES, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

On motion of Representative McMahan and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 853, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE

PRACTICES BETWEEN PHYSICIANS AND AUDIOLOGISTS, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.J.R. 956, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE CITY OF GOLDSBORO AND HONORING THE MEMORY OF MAJOR MATTHEW TILGHMAN GOLDSBOROUGH.

On motion of Representative Baddour and without objection, the resolution is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1033,** A BILL TO BE ENTITLED AN ACT TO GIVE OUT-OF-STATE BANKS TWO MORE YEARS TO ESTABLISH AND MAINTAIN A DE NOVO BRANCH OR A BRANCH THROUGH ACQUISITION PURSUANT TO CERTAIN CONDITIONS, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

Representative Oldham requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS.

Representative Shubert requests that she be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Miner and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.J.R. 1152, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.J.R. 1153, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE TOWN OF FRANKLINVILLE AND HONORING THE MEMORY OF JESSE FRANKLIN.

On motion of Representative Culp and without objection, the resolution is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 27,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE ESTABLISHMENT OF PYRAMID DISTRIBUTION PLANS.

Representative Warner requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading by electronic vote (109-0).

Representative Sherrill objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 995,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LAND SURVEYORS TO ENTER ON LAND.

Representative Baddour offers Amendment No. 1 which is adopted by electronic vote (114-1).

The bill, as amended, passes its second reading, by electronic vote (91-24), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Sherrill withdraws her objection to the third reading of Committee Substitute for **H.B. 27,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE ESTABLISHMENT OF PYRAMID DISTRIBUTION PLANS, and the bill is before the Body.

The bill passes its third reading, by electronic vote (114-0), and is ordered sent to the Senate by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1087,** A BILL TO BE ENTITLED AN ACT TO MAKE TRESPASSING WITH A MOTORIZED ALL TERRAIN VEHICLE A MISDEMEANOR, passes its second reading, by electronic vote (109-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 753, A BILL TO BE ENTITLED AN ACT TO MOVE A PARCEL OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ABERDEEN AND TO THE TOWN OF SOUTHERN PINES, AND TO ANNEX A PARCEL OF PROPERTY TO THE TOWN OF ABERDEEN, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Baker and Hardy - 2.

Excused absences: None.

H.B. 748, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Baker and Hardy - 2.

Excused absences: None.

Committee Substitute for **H.B. 810,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Baker and Hardy - 2.

Excused absences: None.

Committee Substitute for **H.B. 836,** A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely,

Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Baker and Hardy - 2.

Excused absences: None.

Committee Substitute for **H.B. 843,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Baker and Hardy - 2.

Excused absences: None.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 38, AN ACT TO ESTABLISH THE STUDY COMMISSION ON THE FUTURE OF ELECTRIC SERVICE IN NORTH CAROLINA. (S.L. 1997-40)

H.B. 517, AN ACT TO EXTEND THE DEADLINE FOR RAISING FUNDS FOR CONSTRUCTION OF THE NORTH CAROLINA INDIAN CULTURAL CENTER PROVIDED THAT THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., REORGANIZES ITSELF TO FACILITATE THE FUND-RAISING PROCESS. (S.L. 1997-41)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **H.B. 1135,** A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING INITIATIVE AND INNOVATIONS OF STATE EMPLOYEES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.J.R. 211,** A JOINT RESOLUTION COMMEMORATING THE MEMORY OF RELIGIOUS LEADERS IN THE STATE OF NORTH CAROLINA AND NAMING BILLY GRAHAM AS WORLD EVANGELIST, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

Committee Substitute for **S.J.R. 340,** A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

S.J.R. 1072, A JOINT RESOLUTION INVITING THE HONORABLE JESSE A. HELMS, UNITED STATES SENATOR, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

CALENDAR (continued)

Pursuant to Rule 36(a) and without objection, the following resolution is calendared for immediate consideration.

Committee Substitute for **S.J.R. 340,** A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a) and without objection, the following resolution is calendared for immediate consideration.

S.J.R. 1072, A JOINT RESOLUTION INVITING THE HONORABLE JESSE A. HELMS, UNITED STATES SENATOR, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a) and without objection, the following resolution is calendared for immediate consideration.

Committee Substitute for **S.J.R. 211,** A JOINT RESOLUTION COMMEMORATING THE MEMORY OF RELIGIOUS LEADERS IN THE STATE OF NORTH CAROLINA AND NAMING BILLY GRAHAM AS WORLD EVANGELIST, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a) and without objection, the following bill is calendared for immediate consideration.

Committee Substitute No. 2 for **H.B. 460,** A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO DESIGNATE WHO HAS THE DUTY TO ESTABLISH

AND REVISE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS.

Representative Culpepper inquires of the Chair if this is a roll call bill by Rule or according to the Constitution. The Chair states that it is by Rule.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Arnold, Blue, Creech, Ellis, Sherrill, and Warner - 6.

Excused absence: Representative Oldham.

On motion of Representative Culpepper, the bill is calendared for its third reading by electronic vote (111-4).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter,

R. Hunter, Hurley, Insko, Ives, Jarrell, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Arnold, Blue, Creech, Davis, Ellis, Sherrill, and Warner - 7.

Excused absence: Representative Oldham.

Committee Substitute for **H.B. 476,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES FOR VITAL RECORDS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representative Hensley.

Excused absence: Representative Oldham.

On motion of Representative Hurley, the bill is calendared for its third reading by electronic vote (101-1).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Baddour, Baker, Barbee, Beall, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Allred, Hensley and Wood - 3.

Excused absence: Representative Oldham.

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS, passes its third reading, by electronic vote (88-26), and is ordered sent to the Senate by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative G. Wilson for the Permanent Subcommittee on Aging of the Standing Committee on Human Resources, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 897, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS PERTAINING TO THE NUMBER OF MEMBERS OF ADVISORY COMMITTEES OF NURSING HOMES AND REST HOMES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 915, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FIREFIGHTERS WHO ENGAGE IN SOME FIRE INSPECTION ACTIVITIES AS A SECONDARY RESPONSIBILITY ARE NOT COVERED BY THE LAW PROHIBITING CONFLICTS OF INTEREST BY INSPECTION DEPARTMENTS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 988, A BILL TO BE ENTITLED AN ACT TO RESTORE OFFICIAL RECOGNITION TO THE INDIANS OF PERSON COUNTY AND TO PROVIDE THEM WITH REPRESENTATION ON THE COMMISSION OF INDIAN AFFAIRS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO REQUIRE TENANTS TO PAY TO THE CLERK OF COURT THE AMOUNT OF RENT IN ARREARS TO STAY THE EXECUTION OF JUDGMENT FOR SUMMARY EJECTMENT PENDING APPEAL TO DISTRICT COURT AND TO POST A BOND FOR ANY FURTHER APPEALS, passes its second reading, by electronic vote (100-5), and there being no objection is read a third time.

Representative Hackney requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 672, A BILL TO BE ENTITLED AN ACT TO EXEMPT COUNTIES AND CITIES FROM THE STATUTORY REQUIREMENTS REGARDING PUBLIC CONTRACTS WHEN CONSTRUCTING CERTAIN METAL BUILDINGS, passes its second reading, by electronic vote (99-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 891,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION, passes its second reading, by electronic vote (98-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1051, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DUTY OF HOSPITALS AND OTHER AGENCIES WITH RESPECT TO ORGAN PROCUREMENT AND DONATION, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 468,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NORTH

CAROLINA CONFERENCE OF DISTRICT ATTORNEYS WITH RESPECT TO INCREASING THE PUNISHMENT FOR MISDEMEANOR DEATH BY VEHICLE FROM A CLASS 1 MISDEMEANOR TO A CLASS A1 MISDEMEANOR, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

Representative Mercer requests and is granted permission to be recorded as voting "aye". Representative Gamble is recorded as not voting. The adjusted vote total is (105-1).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 484, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, passes its second reading, by electronic vote (101-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 936,** A BILL TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES AND LIABILITY FOR LLAMA ACTIVITIES, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN

OF CUSTODY, passes its second reading, by electronic vote (102-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1142,** A BILL TO BE ENTITLED AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1062,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES TO DEVELOP AND IMPLEMENT A PLAN FOR PROVIDING LOW-COST HEALTH INSURANCE COVERAGE TO CHILDREN WHOSE PARENTS ARE ORDERED TO MAINTAIN HEALTH INSURANCE UNDER ORDERS ENFORCED BY THE DEPARTMENT, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR

MEDICAL SERVICES PLANS, AND IN HMO PLANS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 958,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONCEALED HANDGUN LAWS, passes its second reading, by electronic vote (110-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO PERMIT LENDERS TO CONTRACT FOR AND RECEIVE SHARED APPRECIATION IN CERTAIN CIRCUMSTANCES.

Representative Blue requests that he be excused from voting on this bill under Rule 24.1A, due to a potential conflict, and this request is granted.

Representative Hill calls the previous question on the passage of the bill and the call is sustained by electronic vote (80-31).

The bill passes its second reading by electronic vote (74-37).

Representative McAllister objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute No. 2 for **S.B. 297,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS, is read

the first time and referred to the Committee on Education and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 361,** A BILL TO BE ENTITLED AN ACT TO EXPAND THE AUTHORIZED USERS AND USES OF THE NORTH CAROLINA INFORMATION HIGHWAY, is read the first time and referred to the Committee on Technology.

Committee Substitute for **S.B. 371,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR CONCILIATION OF DISPUTES, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 400,** A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE FOR MENTAL ILLNESS, is read the first time and referred to the Committee on Insurance.

Committee Substitute for **S.B. 455,** A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, AND REDUCING THE APPROVAL PERIOD FOR RATE FILINGS, is read the first time and referred to the Committee on Insurance.

S.B. 546, A BILL TO BE ENTITLED AN ACT TO AMEND THE REAL PROPERTY DISCLOSURE LAWS TO INCLUDE PROVISIONS FOR THE DISCLOSURE OF FLOOD HAZARD AREAS ON PROPERTY LOCATED PARTLY OR WHOLLY IN WAKE COUNTY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 636, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH COMMISSION, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 663,** A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ELECTION LAWS DESIGNED TO PREVENT LONG LINES AT THE POLLS ON ELECTION DAY, is read the first time and referred to the Committee on Election Law and Campaign Reform.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE

1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 866,** A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPETITION, CHOICE, AND AVAILABILITY IN THE PURCHASE OF PRESCRIPTION DRUGS AND PHARMACEUTICAL SERVICES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 869,** A BILL TO BE ENTITLED AN ACT TO TRANSFER TECHNOLOGY-RELATED FUNCTIONS OF STATE GOVERNMENT TO THE DEPARTMENT OF COMMERCE, is read the first time and referred to the Committee on Technology and, if favorable, to the Committee on Commerce.

S.B. 892, A BILL TO BE ENTITLED AN ACT TO LIMIT THE RIGHT OF CERTAIN SHAREHOLDERS TO DISSENT FROM CORPORATE ACTIONS AND TO AMEND THE LAW GOVERNING OFFERS OF PAYMENT TO DISSENTERS, is read the first time and referred to the Committee on Judiciary II.

S.B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE FEES TO THE STATE, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

S.B. 900, A BILL TO BE ENTITLED AN ACT TO MAKE CONSISTENT AMONG GENERAL STATUTES CERTAIN REQUIREMENTS FOR ANNOUNCING OF CAPITAL IMPROVEMENT PROJECT DESIGN REQUIREMENTS, is read the first time and referred to the Committee on State Government.

S.B. 931, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONS IN FLAG AND LIGHT COLORS FOR EXTENDED TRUCK LOADS, is read the first time and referred to the Committee on Transportation.

Committee Substitute for **S.B. 943,** A BILL TO BE ENTITLED AN ACT TO ENACT THE MEDICAL ASSISTANCE PROVIDER FALSE CLAIMS

ACT, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary I.

S.B. 953, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME CORPORATIONS MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, is read the first time and referred to the Committee on Judiciary I.

S.B. 962, A BILL TO BE ENTITLED AN ACT TO AMEND THE MENTAL HEALTH COMMITMENT LAW TO PROVIDE FOR VOLUNTARY COMMITMENT OF MOTHERS WHO ARE SUBSTANCE ABUSERS AND THEIR CHILDREN UNDER AGE THREE, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 993,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMMISSIONER OF INSURANCE TO ADOPT RULES TO PROTECT THE RIGHTS OF SUBSCRIBERS AND CERTIFICATE HOLDERS IN THE RESERVES AND CAPITAL OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS UPON CONVERSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 998, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS 1 MISDEMEANOR FOR A PERSON FRAUDULENTLY TO REPRESENT HIMSELF OR HERSELF AS A CRIME VICTIM, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 513,** A BILL TO BE ENTITLED AN ACT TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF OAKBORO IN STANLY COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 561, A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED CAMPUS POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, is read the first time and referred to the Committee on Judiciary I.

S.B. 904, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT AN ACT TO AMEND THE CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE, is read the first time and referred to the Committee on Election Law and Campaign Reform.

Committee Substitute for **S.B. 997,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO IGNORES A WARNING REGARDING PERSONAL SAFETY IN A DISASTER SITUATION AND PLACES HIMSELF OR HERSELF OR ANOTHER IN DANGER AND REQUIRES AN EMERGENCY RESCUE IS CIVILLY LIABLE FOR THE COSTS OF THE RESCUE EFFORT, is read the first time and referred to the Committee on Judiciary II.

S.B. 1016, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS, is read the first time and referred to the Committee on Insurance.

Committee Substitute for **S.B. 1023,** A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS AND DUTIES OF THE DEPARTMENT OF HUMAN RESOURCES TO REQUIRE THE DEPARTMENT TO ACT ON REQUESTS FOR WAIVERS TO COMMISSION OF HEALTH SERVICES RULES AND TO REPORT TO THE GENERAL ASSEMBLY ON PROGRESS AND RECOMMENDATIONS TO IMPROVE THE PROCESS FOR THE GRANTING OR DENIAL OF APPLICATIONS FOR LICENSURE AND WAIVERS, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 1059,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT DEALER PLATES ARE USED ONLY ON VEHICLES DRIVEN FOR A BUSINESS PURPOSE OF THE DEALERSHIP AND TO LIMIT THE NUMBER OF TRANSPORTER PLATES THAT MAY BE ISSUED TO A DEALER, is read the first time and referred to the Committee on Transportation.

S.B. 1066, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DETERMINE WHICH GROUPS OF STUDENTS ARE LIKELY TO SCORE BELOW BENCHMARKS ON STATEWIDE TESTS AND TO RECOMMEND WAYS TO FOCUS RESOURCES ON ADDRESSING THE NEEDS OF THOSE STUDENTS, is read the first time and referred to the Committee on Education.

On motion of the Chair, the House recesses at 5:02 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

May 1, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 62-10, I hereby appoint Robert V. Owens, Jr. to serve as a member of the North Carolina Utilities Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Owens will serve a term to begin July 1, 1997 and to expire June 30, 2005.

Enclosed is biographical information on Mr. Owens. Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

May 1, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 62-10, I hereby appoint Richard Conder to serve as a member of the North Carolina Utilities Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Conder will serve a term to begin July 1, 1997 and to expire June 30, 2005.

Enclosed is biographical information on Mr. Conder. Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letters to the Committee on Commerce, Subcommittee on Public Utilities.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 302,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE TO AUTHORIZE THE TAKING OF CERTAIN WILDLIFE IN COUNTIES OR DISTRICTS WHERE AN OUTBREAK OF RABIES HAS OCCURRED, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 316,** A BILL TO BE ENTITLED AN ACT RELATING TO THE EXEMPTION OF STATE EMPLOYEES FROM COVERAGE UNDER CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT, passes its second reading, by electronic vote (103-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 344,** A BILL TO BE ENTITLED AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY.

Representative Fitch inquires of the Chair if the bill needs to go to the Committee on Finance, pursuant to Rule 38. The Speaker rules that the bill is properly before the Body.

The bill passes its second reading, by electronic vote (101-14), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON FROM REPRESENTING THAT THE PERSON PROVIDES OR OBTAINS DEBT CONSOLIDATION WHEN THE SERVICE THAT PERSON PRIMARILY PROVIDES IS RELATED TO BANKRUPTCY PROCEEDINGS, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

ENROLLED BILLS

The following resolutions are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 340, A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR. (RESOLUTION 7)

S.J.R. 211, A JOINT RESOLUTION COMMEMORATING THE MEMORY OF RELIGIOUS LEADERS IN THE STATE OF NORTH CAROLINA AND NAMING BILLY GRAHAM AS WORLD EVANGELIST. (RESOLUTION 8)

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1086,** A BILL TO BE ENTITLED AN ACT TO AMEND RULE 68 OF THE RULES OF CIVIL PROCEDURE REGARDING OFFERS OF JUDGMENT, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 382,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOBBYISTS MAY NOT GIVE TO CANDIDATES FOR CERTAIN OFFICES AT ANY TIME.

On motion of Representative McComas and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.J.R. 1054, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative McAllister withdraws her objection to the third reading of **H.B. 1075,** A BILL TO BE ENTITLED AN ACT TO PERMIT LENDERS TO CONTRACT FOR AND RECEIVE SHARED APPRECIATION IN CERTAIN CIRCUMSTANCES, and the bill is before the Body.

Pursuant to Rule 24.1A(c), the excused vote of Representative Blue is continued.

The bill passes its third reading, by electronic vote (66-47), and is ordered sent to the Senate by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1009,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 823,** A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS FOR THE RESIGNATION, REMOVAL, AND RENUNCIATION OF TRUSTEES AND FOR THE APPOINTMENT OF SUCCESSOR TRUSTEES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 564,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF DENTAL HYGIENIST, TO ALLOW DENTAL HYGIENISTS TO PERFORM CERTAIN ACTS WITHOUT THE ON-SITE SUPERVISION OF A LICENSED DENTIST, TO ALLOW DENTISTS TO EMPLOY MORE THAN TWO DENTAL HYGIENISTS AT ONE TIME AND TO STUDY ALTERNATIVE DENTAL HYGIENE EDUCATION AND TRAINING.

Representative McMahan offers Amendment No. 1 which is adopted by electronic vote (113-1).

The bill, as amended, passes its second reading, by electronic vote (106-10), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

S.B. 821, A BILL TO BE ENTITLED AN ACT TO DIRECT THE HOUSING FINANCE AGENCY TO EXAMINE THE USE OF FUNDS FROM THE HOUSING TRUST FUND IN DOWNTOWN AREAS, is read the first time and referred to the Committee on Commerce.

S.B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW SATELLITE POLLING PLACES TO SERVE CAMPUS HOUSING AT INSTITUTIONS OF HIGHER EDUCATION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 808,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWN AND AREAS WITHIN THE TOWN'S EXTRATERRITORIAL PLANNING JURISDICTION, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Ellis and without objection, Committee Substitute for **H.B. 502,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE IN THE DEALERS AND MANUFACTURERS LICENSING LAW TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES, which was temporarily displaced, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 831, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF YANCEY COUNTY BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 792, A BILL TO BE ENTITLED AN ACT REPEALING SECTION 116 OF THE CHARTER OF THE CITY OF DURHAM CONCERNING THE INSPECTION OF CITY RECORDS IN THE PRESENCE OF THE CITY MANAGER AND THE CITY CLERK, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 833, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE THE CITY TO SERVE COMPLAINTS OR ORDERS IN HOUSING CODE CASES BY REGULAR MAIL IN ADDITION TO CERTIFIED OR REGISTERED MAIL.

On motion of Representative Culpepper, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 834, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILMINGTON TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 112,** A BILL TO BE ENTITLED AN ACT TO CREATE A SAFETY ZONE AROUND PUBLIC AND PRIVATE SCHOOLS IN CAMDEN COUNTY BY PROHIBITING HUNTING OR THE DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY OF PUBLIC ROADS WITHIN ONE-HALF MILE OF A SCHOOL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 870,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE, BEAUFORT, CASWELL, CRAVEN, HYDE, PITT, AND ROCKINGHAM COUNTIES TO ARRANGE FOR THE WORKING OF NONVIOLENT MISDEMEANANTS UNDER THE SUPERVISION OF EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT OR EMPLOYEES OF A NONPROFIT, CHARITABLE CORPORATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO REQUIRE SIDEWALK IMPROVEMENTS THROUGH THE SITE PLAN REVIEW PROCESS UNDER THE AUTHORITY OF THE CITY ZONING ORDINANCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 761, A BILL TO BE ENTITLED AN ACT TO ALLOW HILLSBOROUGH TO CONTRACT FOR INSPECTION SERVICES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 879, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN DECISIONS OF THE DURHAM COUNTY BOARD OF ADJUSTMENT TO BE MADE BY THREE-FIFTHS VOTE RATHER THAN FOUR-FIFTHS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF NEWLAND IN AVERY COUNTY AND THE TOWN OF SPRUCE PINE IN MITCHELL COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 812, A BILL TO BE ENTITLED AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 569,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT IN ELECTIONS TO FILL VACANCIES ON

THE WENDELL TOWN BOARD FOR THE REMAINDER OF THE UNEXPIRED TERM, THE NEXT HIGHEST VOTE GETTER RECEIVES A TWO-YEAR TERM, RATHER THAN HAVING A SEPARATE ELECTION ON THE BALLOT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 699,** A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE TOWN OF NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 437,** A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 897,** A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS PERTAINING TO THE NUMBER OF MEMBERS OF ADVISORY COMMITTEES OF NURSING HOMES AND REST HOMES, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 507,** A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY ACTIVE JAIL SENTENCES FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED WITH BLOOD ALCOHOL LEVELS OF MORE THAN FIFTEEN HUNDREDTHS PERCENT, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 530,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN CORPORATIONS WHICH OFFER ENGINEERING, LANDSCAPE ARCHITECTURAL, AND GEOLOGICAL SERVICES FROM THE APPLICABILITY OF THE PROFESSIONAL CORPORATION ACT, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 415,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REQUIRING THE PARENTS OF A DEPENDENT CHILD WHO IS THE PARENT OF A DEPENDENT CHILD TO PAY SUPPORT FOR THEIR GRANDCHILD, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1059,** A BILL TO BE ENTITLED AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT.

On motion of Representative Wright, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1124, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE DEPARTMENT OF JUSTICE MAY PERFORM CRIMINAL RECORDS CHECKS TO FACILITATE BACKGROUND INVESTIGATIONS FOR FIREFIGHTER AND RESCUE SQUAD APPLICANTS, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 873,** A BILL TO BE ENTITLED AN ACT TO RAISE THE AGE OF UNDISCIPLINED JUVENILES, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1023,** A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE PRETRIAL RELEASE AND BOND FORFEITURE PROCEDURE, passes its second reading, by electronic vote (111-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1059,** A BILL TO BE ENTITLED AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (107-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1132,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO CONTAMINATE FOOD OR DRINK WITH ANY SUBSTANCE THAT WOULD RENDER A PERSON MENTALLY INCAPACITATED OR PHYSICALLY HELPLESS WITH THE INTENT OF COMMITTING A CRIME AGAINST THAT PERSON, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 457,** A BILL TO BE ENTITLED AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

RE-REFERRAL

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 685,** A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THAT COUNTY, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 7:47 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **H.B. 685,** A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THAT COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 948, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF PHARMACY TO ESTABLISH A RECOVERY AND REHABILITATION PROGRAM FOR PHARMACISTS, passes its second reading, by electronic vote (80-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 594,** A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PUNISHMENT IMPOSED FOR INJURING A PREGNANT WOMAN IN THE COMMISSION OF A FELONY, ACT OF DOMESTIC VIOLENCE, OR UNLAWFUL OPERATION OF A VEHICLE CAUSING A MISCARRIAGE OR STILLBIRTH, passes its second reading, by electronic vote (99-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1091,** A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN CRIMINAL RECORD CHECKS TO BE CONDUCTED BY PRIVATE BUSINESS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1064,** A BILL TO BE ENTITLED AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY AND TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

Representative Hardy requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMANENTLY DISABLED DRIVERS DO NOT HAVE TO BE MEDICALLY RECERTIFIED WHEN RENEWING HANDICAPPED PLACARDS OR REGISTRATION PLATES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1135,** A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING INITIATIVE AND INNOVATIONS OF STATE EMPLOYEES, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 904,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE SHALL BE IMPOSED FOR A SECOND OR SUBSEQUENT CONVICTION OF A CLASS B1 FELONY IF THERE ARE NO MITIGATING CIRCUMSTANCES AND THE VICTIM IS THIRTEEN YEARS OF AGE OR YOUNGER, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1069, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO ENCOURAGE THE HIRING INTO STATE GOVERNMENT EMPLOYMENT OF QUALIFIED WORK FIRST PROGRAM PARTICIPANTS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 999,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE SOIL AND WATER CONSERVATION COMMISSION TO CONDUCT INSPECTIONS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 872,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS RULES OF CIVIL PROCEDURE, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CRUELTY TO ANIMALS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 357,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS IMPOSED BY GENERAL PERMITS FOR CERTAIN ANIMAL OPERATIONS.

Representative Mitchell offers Amendment No. 1 which is adopted by electronic vote (105-6).

Representative Hackney moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Environment. The motion fails by electronic vote (50-61).

Representative Mitchell calls the previous question on the passage of the bill and the call is sustained by electronic vote (80-30).

The bill, as amended, passes its second reading by electronic vote (70-41).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1037,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSPORTATION AND RESALE OF THE EDIBLE PARTS OF DEER RAISED DOMESTICALLY IN ANOTHER STATE, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SUSPENSION OF RULES

Representative Morgan moves that Rule 41(b) be suspended in order that Committee Substitute for **H.B. 357,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS IMPOSED BY GENERAL PERMITS FOR CERTAIN ANIMAL OPERATIONS, might be read a third time.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (69-41).

The motion fails of a two-thirds majority by electronic vote (74-39).

Representative Luebke withdraws his objection to the third reading and the bill is before the Body.

On motion of Representative Mitchell and without objection, the bill is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Finance.

CROSSOVER DEADLINE AGREEMENT

April 29, 1997

AGREEMENT TO COVER BILLS AND RESOLUTIONS PASSED FOLLOWING ADJOURNMENT OF EITHER CHAMBER PRIOR TO THE OTHER ON MAY 1, 1997, CROSSOVER DEADLINE.

It is agreed that all bills and resolutions passed by the House of Representatives or the Senate on May 1, 1997, and ordered sent to the other chamber, but not read as a message on the floor of either Body, shall be considered to have met the provisions of House Rule 31.1(d) and Senate Rule 41.

S/ Harold J. Brubaker
Speaker of the House

S/ Marc Basnight
Senate President Pro Tempore

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 458,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER SCHOOL ACT OF 1996 TO ELIMINATE THE REQUIREMENT THAT CHARTER SCHOOLS BE OPERATED BY PRIVATE NONPROFIT CORPORATIONS AND TO MAKE SUCH OPERATION OPTIONAL, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 483,** A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative McCrary, the House adjourns to reconvene Monday, May 5, 1997, at 5:30 p.m.

FIFTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 5, 1997

The House meets at 5:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Ray Lamb, Pastor, Back Creek Friends, Asheboro, North Carolina.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Dockham, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-0).

Leaves of absence are granted Representatives Berry, Decker, McMahan, Mosley, Nichols, Oldham, Wood, and Wright for today. Representative Luebke is excused for a portion of the session.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Smith:

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTER FOR MARINE SCIENCE AND TECHNOLOGY, is referred to the Committee on Appropriations.

By Representative Grady:

H.J.R. 1201, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REQUIREMENTS FOR ISSUANCE OF A CERTIFICATE AS A REGISTERED SANITARIAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weatherly, Clary, and Dedmon:

H.R. 1202, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF J. HAYWOOD ALLEN, SR., FORMER SHERIFF OF CLEVELAND COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Wilkins (Co-Sponsors); Hackney, Luebke, and Mosley:

H.B. 1203, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FRAMEWORK FOR DEVELOPING AND IMPLEMENTING COOPERATIVE STATE-LOCAL WATER RESOURCES MANAGEMENT AND WATER QUALITY PROTECTION PLANS AND IMPLEMENTATION STRATEGIES FOR RIVER BASINS AND SEGMENTS OF RIVER BASINS AND TO APPROPRIATE FUNDS TO THE UPPER NEUSE RIVER BASIN ASSOCIATION, INC., FOR THE PURPOSE OF DEVELOPING AND IMPLEMENTING A COOPERATIVE STATE-LOCAL WATER RESOURCES MANAGEMENT AND WATER QUALITY PROTECTION PLAN FOR THE UPPER NEUSE RIVER BASIN, is

referred to the Committee on Environment and, if favorable, to the Committee on Appropriations.

By Representatives Brawley, Aldridge, Barbee, Brown, Culp, Decker, Hiatt, Justus, McMahan, Morris, Russell, Thompson, and Weatherly:

H.B. 1204, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON THE COST OF HEALTH CARE IN NORTH CAROLINA, AND TO APPROPRIATE FUNDS THEREFOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brawley:

H.J.R. 1205, A JOINT RESOLUTION SUPPORTING THE GOALS AND MISSION OF ECONOMIC SECURITY 2000, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Howard, and Mosley:

H.B. 1206, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION LAWS PERTAINING TO ACCESS TO ADOPTION RECORDS, AND TO ESTABLISH AN ADOPTION REGISTRY, is referred to the Committee on Human Resources and, if favorable, to the Committee on Finance.

By Representative Bowie:

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY A PROCEDURE FOR REVIEW OF HEALTH CARE BILLS PRIOR TO CONSIDERATION BY THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culpepper and Goodwin:

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE PRESERVATION OF QUEEN ANNE'S REVENGE, is referred to the Committee on Appropriations.

By Representative Boyd-McIntyre:

H.B. 1209, A BILL TO BE ENTITLED AN ACT TO REQUIRE MEDICAL INSTITUTIONS AND UNIVERSITY HOSPITALS THAT RECEIVE STATE FUNDS TO INCLUDE WOMEN AS SUBJECTS IN MEDICAL RESEARCH PROJECTS, AS APPROPRIATE, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR A STUDY RELATED TO WOMEN AS SUBJECTS IN MEDICAL RESEARCH PROJECTS, is referred to the Committee on Appropriations.

By Representatives Boyd-McIntyre, Alexander, Baddour, Beall, Berry, Black, Bonner, Braswell, Clary, Cole, Cunningham, Earle, Fox, Gamble, Goodwin, Hackney, Hardaway, Hensley, Hightower, Hill, R. Hunter, Insko, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCrary, Mercer, Michaux, Miller, Moore, Mosley, Nesbitt, Oldham, Ramsey, Redwine, Reynolds, Saunders, Sherrill, Smith, Sutton, Tolson, Wainwright, Warwick, and Wilkins:

H.B. 1210, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON MINORITY WOMEN'S HEALTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives G. Wilson, Cansler, Gray, Hiatt, Jarrell, Jeffus, Preston, and Sherrill:

H.B. 1211, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SUPPLEMENTAL FUNDING TO COMPLETE VARIOUS CAPITAL PROJECTS IN THE UNIVERSITY SYSTEM, is referred to the Committee on Appropriations.

By Representative Reynolds:

H.B. 1212, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A PILOT PROGRAM FOR CERTIFIED NETWORK ADMINISTRATION (CNA) TRAINING IN NORTH CAROLINA PUBLIC SCHOOLS AND DEVELOP A PROPOSAL FOR THE INTERACTIVE VISUAL TECHNOLOGIES CENTER, is referred to the Committee on Technology and, if favorable, to the Committee on Appropriations.

By Representative Nesbitt:

H.B. 1213, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL POLICE OFFICERS IN THE DEPARTMENT

OF HUMAN RESOURCES AND TO APPROPRIATE FUNDS FOR THE JUVENILE EVALUATION CENTER IN BUNCOMBE COUNTY, is referred to the Committee on Appropriations.

By Representative R. Hunter:

H.B. 1214, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO VARIOUS NONPROFIT ORGANIZATIONS IN HOUSE DISTRICT FORTY-NINE FOR CAPITAL IMPROVEMENTS, is referred to the Committee on Appropriations.

By Representatives Michaux and Blue:

H.B. 1215, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE POWERS OF THE OFFICE OF ADMINISTRATIVE HEARINGS CONCERNING INJUNCTIVE RELIEF AND TO ADD TWO POSITIONS TO THAT OFFICE, is referred to the Committee on Appropriations.

By Representative Hightower:

H.B. 1216, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A NEW STATE CHILD SUPPORT OFFICE IN ANSON COUNTY, is referred to the Committee on Appropriations.

By Representative Miner:

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE UNITED ARTS COUNCIL OF RALEIGH AND WAKE COUNTY, INC., TO SUPPORT THE COUNCIL'S ART PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Black, Alexander, Baddour, Beall, Bonner, Boyd-McIntyre, Braswell, Church, Cole, Culpepper, Dedmon, Earle, Goodwin, Grady, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Jeffus, Luebke, McAllister, Michaux, Miller, Moore, Mosley, Nye, Oldham, Preston, Ramsey, Redwine, Rogers, Saunders, Smith, Sutton, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, Womble, Wright, and Yongue:

H.B. 1218, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REDUCE THE ADULT/STUDENT RATIO IN KINDERGARTEN THROUGH THIRD GRADE, is referred to the Committee on Appropriations.

By Representative Clary:

H.B. 1219, A BILL TO BE ENTITLED AN ACT TO LICENSE ASSISTED LIVING RESIDENCE ADMINISTRATORS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warwick, Black, Blue, Bonner, Braswell, Davis, Dedmon, Earle, Goodwin, Hightower, R. Hunter, Jeffus, Kinney, Moore, Mosley, Nye, Saunders, Sexton, Sutton, Warner, Wright, and Yongue:

H.B. 1220, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BLUE RIBBON STUDY COMMISSION ON TEACHER SUPPLEMENTAL SALARY AND TO APPROPRIATE FUNDS TO IMPLEMENT THE STUDY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warwick, Baddour, Black, Blue, Bonner, Braswell, Brown, Davis, Dedmon, Earle, Hightower, Jeffus, Kinney, Moore, Mosley, Nesbitt, Nye, Saunders, Sutton, Warner, G. Wilson, and Yongue:

H.B. 1221, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STUDY THE NEEDS OF NORTH CAROLINA RESIDENTS FOR WHOM ENGLISH IS A SECOND LANGUAGE, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Warwick, Black, Blue, Bonner, Braswell, Davis, Dedmon, Earle, Hightower, R. Hunter, Jeffus, Kinney, McCrary, Moore, Mosley, Nesbitt, Nye, Saunders, Sexton, Sutton, Warner, Wright, and Yongue:

H.B. 1222, A BILL TO BE ENTITLED AN ACT TO HELP THE DEPARTMENT OF HUMAN RESOURCES, THE ADMINISTRATIVE OFFICE OF THE COURTS, LOCAL LAW ENFORCEMENT, AND SCHOOLS CREATE MORE APPROPRIATE PROGRAMS FOR JUVENILE OFFENDERS BY ESTABLISHING A LEGISLATIVE STUDY COMMISSION ON AT-RISK YOUTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, Blue, Boyd-McIntyre, Braswell, Cunningham, Earle, Easterling, Fitch, Gamble, Hardaway, H. Hunter, Insko, Jeffus, Michaux, Mosley, Sutton, Wainwright, Womble, and Wright:

H.B. 1223, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA FAMILY HEALTH CARE ACT, AND TO APPROPRIATE FUNDS THEREFOR, is referred to the Committee on Insurance and, if favorable, to the Committee on Appropriations.

By Representatives Luebke, Alexander, Boyd-McIntyre, Braswell, Church, Cunningham, Earle, Easterling, Fitch, Hensley, Hill, Hurley, Insko, Jeffus, McAllister, Michaux, Miller, Mosley, Oldham, Redwine, Sutton, Wainwright, and Wright:

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE SAFETY OF THE OPERATION OF TRUCKS IN NORTH CAROLINA AND TO INCREASE THE SAFETY OF TIRES ON ALL MOTOR VEHICLES, is referred to the Committee on Transportation and, if favorable, to the Committee on Appropriations.

By Representatives Cole, Allred, Dedmon, Fox, Hill, Hurley, Moore, Reynolds, Sexton, and Warwick:

H.B. 1225, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PICK UP AND DISCHARGE PUPILS AT PLACES DESIGNATED BY PARENTS AND TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR THE IMPLEMENTATION OF THIS ACT, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 30,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SPEEDING IN A HIGHWAY WORK ZONE TO TWO HUNDRED FIFTY DOLLARS, AND TO PROVIDE THAT THE SAFE DRIVER INCENTIVE PLAN EXCEPTION FOR VIOLATIONS OF SPEEDING TEN MILES PER HOUR OR LESS OVER THE SPEED LIMIT SHALL NOT APPLY TO SPEEDING IN A HIGHWAY WORK ZONE, is read the first time and referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 564,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO PERMIT THE DISCLOSURE OF THE NAME, ADDRESS,

AND TYPE OF ACCOUNT OF ANY CUSTOMER, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 643,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GREENSBORO CITY COUNCIL MEMBERS, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 644,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY HIGH POINT CITY COUNCIL MEMBERS, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 645,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GUILFORD COUNTY BOARD OF EDUCATION MEMBERS, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 791, A BILL TO BE ENTITLED AN ACT CLARIFYING WHEN WITNESS STATEMENTS OBTAINED PURSUANT TO THE ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT MAY BE RELEASED, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 799,** A BILL TO BE ENTITLED AN ACT TO BRING MORE OPENNESS TO THE PERFORMANCE OF PUBLIC EMPLOYEES BY PROVIDING GREATER ACCESS TO PERSONNEL RECORDS, is read the first time and referred to the Committee on Public Employees and, if favorable, to the Committee on Judiciary II.

S.B. 819, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF COMMERCE TO MAINTAIN A DATABASE OF DOWNTOWN PROPERTIES AVAILABLE FOR INDUSTRIAL RECRUITMENT, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 825,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR CANDIDATE DISCLOSURE

WITH REGARD TO ADVERTISEMENTS, is read the first time and referred to the Committee on Election Law and Campaign Reform.

Committee Substitute for **S.B. 844,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE OPEN MEETINGS LAW TO REQUIRE ACCOUNTS OF CLOSED MEETINGS AND TO PROHIBIT VOTING ON ECONOMIC DEVELOPMENT INCENTIVES IN CLOSED SESSIONS, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 851,** A BILL TO BE ENTITLED AN ACT REGARDING ADULT CARE HOME LICENSES, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 885,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE LAW REGARDING THE TIME AND METHOD FOR EXECUTION, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 905,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 924,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF EMPLOYEES OF AND APPLICANTS FOR EMPLOYMENT WITH THE DEPARTMENT OF HUMAN RESOURCES, is read the first time and referred to the Committee on Public Employees and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 936,** A BILL TO BE ENTITLED AN ACT TO PROVIDE PRIORITY IN EMPLOYMENT ASSISTANCE FOR UNITED STATES ARMED FORCES VETERANS, is read the first time and referred to the Committee on Public Employees.

Committee Substitute for **S.B. 973,** A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE CERTAIN INFORMATION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 1015,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE WELFARE REFORM ACT OF 1997, is read the first time and referred to the Committee on Welfare Reform.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
May 5, 1997

Mr. Speaker:

Pursuant to **S.J.R. 340,** A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., the President Pro Tempore appoints as a committee on the part of the Senate to escort the Reverend Billy Graham to the Joint Session in the Hall of the House of Representatives Monday, May 5, 1997, at 6:00 p.m.

Senator Carpenter, Chairman
Senator Forrester
Senator Lucas
Senator Albertson
Senator Conder
Senator Odom
Senator Martin of Pitt

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representative McCombs, Chair; Representatives Sherrill, Cansler, Russell, Ives, Church, and H. Hunter as an Escort Committee for Reverend Billy Graham and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Berry, Decker, Luebke, McMahan, Mosley, Nichols, Oldham, Wood, and Wright - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 655,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF MADISON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard,

H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Berry, Decker, Luebke, McMahan, Mosley, Nichols, Oldham, Wood, and Wright - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 750, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Berry, Decker, Luebke, McMahan, Mosley, Nichols, Oldham, Wood, and Wright - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 773, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD

ISLAND, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Berry, Decker, Luebke, McMahan, Mosley, Nichols, Oldham, Wood, and Wright - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO RESTRICT ANNEXATION OF THE CITY BEYOND A LINE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Tolson, Wainwright,

Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Berry, Decker, Luebke, McMahan, Mosley, Nichols, Oldham, Wood, and Wright - 9.

INTRODUCTION OF PAGES

Pages for the week of May 5 are introduced to the membership. They are: Jason Gregory Arnold of Beaufort; Steven Blake Asby of Pitt; Brian Michael Booth of Wake; Alexis Michelle Brooks of Robeson; Ronald Brandon Capps of Wake; Patricia Laurin Cooke of Wake; Natalie Elise Coward of Jackson; Ashley Nicole Cress of Wake; Jennifer Leslie Finton of Iredell; Sarah Magdalene Foxworth of Johnston; Michael Griffis of Iredell; Victoria Joan Hightower of Anson; Kesha Nicole Holloway of Wake; Heather Marie House of Wake; Kristi Klaameyer of Franklin; Hunter Matthew LeVan of Iredell; Sayward Leigh Locklear of Robeson; Ashley Snyder Miller of Davidson; Billie Jo Mills of Catawba; Mary Elizabeth Mills of Catawba; David Joshua Montgomery of Carteret; Gary Vance Nichols of Wilkes; Joshua Daniel Richardson of Wilkes; Elisha B. Thompson of Brunswick; Kathleen N. Tomlin of Iredell; and Christopher D. Whitaker of Hertford.

ENROLLED BILL

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 1072, A JOINT RESOLUTION INVITING THE HONORABLE JESSE A. HELMS, UNITED STATES SENATOR, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR. (RESOLUTION 9)

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
May 5, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that pursuant to **S.J.R. 340,** A JOINT RESOLUTION INVITING THE REVEREND BILLY GRAHAM TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Chair orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

Representative Morgan moves, seconded by Representative Blue, that the House adjourn, upon dissolution of the Joint Session, to reconvene May 6 at 2:00 p.m. The motion carries.

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Dennis A. Wicker, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Justice, Chief Judge, and members of the Judiciary who are seated for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State and the Governor's Cabinet who are seated for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of U.S. Senator Jesse Helms who is seated for the Joint Session.

The Speaker extends the courtesies of the gallery to Mrs. Carolyn Hunt, First Lady of North Carolina; Mrs. Ruth Graham, wife of Reverend Graham; Mr. and Mrs. James Hunt, parents of the Governor; Dr. and Mrs. Daniel Lotz, daughter and son-in-law of Reverend Graham; and Mr. and Mrs. Bill Lawrence.

The Speaker extends courtesies of the floor to Senator Helms; the Chief Justice, Chief Judge, and members of the Judiciary; the Council of State; the Governor's Cabinet, and all invited guests.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House is recognized and he announces the approach of His Excellency, James B. Hunt, Jr., Governor of North Carolina. The Governor is seated for the Joint Session.

The Sergeant-at-Arms of the House is recognized and he announces the approach of the Reverend Billy Graham. Reverend Graham enters, escorted by Senators Carpenter, Forrester, Lucas, Albertson, Conder, Odom, and Martin of Pitt; and Representatives McCombs, Sherrill, Cansler, Russell, Ives, Church, and H. Hunter.

The President recognizes Senator Carpenter, who presents the Reverend Billy Graham to the Joint Assembly and he makes the following remarks.

REMARKS
BY REVEREND BILLY GRAHAM

"Lieutenant Governor Wicker, Speaker Brubaker, President Pro Tem Basnight, Governor Hunt, Senator Helms, distinguished guests that are here today. It's a great privilege for me to be at the North Carolina General Assembly. I remember being here in 1971. You look a little bit different. You look a little older since those days and so do I. It's a privilege for me to be here at the State Capitol named for Sir Walter Raleigh.

"When I was in high school I was fascinated with North Carolina history. I was reared in the Piedmont section of the state near Charlotte on a small dairy farm. So, I've not been in the eastern part of the state as much as other parts. Eastern North Carolina has been a citadel of the state's history since Raleigh's dream of colonization came to such a mysterious end

from the Lost Colony that disappeared from Roanoke Island over 400 years ago.

"Following that attempt to colonize in the 1580's, the region remained Native American territory for decades. Permanent white settlers came into North Carolina in the 1650's from the English colony of Jamestown, Virginia. I remember one day I was sitting beside President John Kennedy before he was to give an address. He suddenly turned to me and he said, 'by the way', he said, 'what religions settled North Carolina?' And I had no idea of what he had in mind. I didn't know why he wanted to know. I told him about the Moravians and about the Presbyterians and the Methodists. Later on some Baptists got here. And when he got up to speak, he used all of that in his speech.

"Others came down on a great wagon road from Pennsylvania through the Shenandoah Valley. Some came by ship from England. They were all yearning for a plot of land and freedom from all the persecution and the oppression that they felt in Europe. North Carolina has always stood for freedom. North Carolina ratified the United States Constitution as the twelfth state in 1789 and, like several other of the original states, North Carolina moved our Capitol westward from the seaboard soon after the American Revolution. Now, if they had waited until today, they would have moved it to Asheville, if Charlotte hadn't stopped them on the way. You all know our state's history better than I do.

"The first time I ever stood before a legislative group like this was in Massachusetts. That may surprise you. That was 1950. I was introduced by a man that gave me quite a strong introduction and I had no idea who he was and or who he was to become. But, years later, he told me about it. His name was Tip O'Neill and he gave me a powerful introduction, which was a little bit of a indication of things to come, as far as he was concerned.

"Although I have addressed a number of State Legislatures since then, I consider this the highest honor of all, is to be here in my own home state and to see you people that represent us and the wonderful work that you do and the tremendous progress that North Carolina makes. You're always looked on as a State that is way ahead of the rest of them in the South. And it's always a great pride and joy for me to tell people that I come from North Carolina, the greatest state in America.

"I have always loved history. As a young boy, I remember the famous painting of Washington crossing the Delaware. Only later did it occur to me that Washington did not get across that river by himself. He had a lot of

help, and my ministry has had a lot of help. I get a lot of honors, and things said about Billy Graham, but I get sick and tired of the name Billy Graham. It's a whole group of us -- a team of people -- that God has used to travel to 105 countries and preach the Gospel, and to see many lives changed and stand before all kinds of universities.

"I guess I have spoken to every university in New England and college -- whether it's Vassar or any of those schools -- and on the West Coast. You've been reading about Stanford. I've been there several times. In England, to Cambridge and Oxford several times, sometimes a week at a time. Yale invited me for a whole week once and they said, 'what will you say in a week?' I said, 'I'm going to say the same thing every night.' So they came every night. I said, 'the human heart is the same and the Gospel of Christ is the same and I don't have any other message.' Sid Lovett was the Chaplain. He was the one that got the University to invite me and it was packed every night. And the same at Harvard and those other schools, Brown and Vassar, and other ones - Dartmouth.

"However, I would not be here today if it were not for an event that happened near Charlotte a number of years ago. An evangelist came through Charlotte and he was preaching in what was called the Tabernacle. He preached the Gospel in a way I had never heard it before. He just stood and opened the Bible and just told us what the Bible said. I was a high school student and I listened. One night I responded to his invitation to come forward and receive Christ into my heart. And I did that. And it changed my life and I've never been the same since. I'll never forget a verse of scripture that he quoted, 'as many as received Him, to them gave He the power to become the sons of God, even to them that believe on His name.' (John 1:12) That meant that I was supposed to respond to God's offer of love and mercy and forgiveness. And I did respond. God said, 'I forgive you, I love you'. And I said, 'Lord, I receive You into my heart', and it changed my life. I had to repent of my own sins. I had to receive Christ as Savior. And when the preacher asked people to come, many people came. I didn't have any emotions about it, but I was embarrassed because some of my school friends were there and here I was standing there in the middle of them. Some of them probably snickering a little bit, but if I've accomplished anything in my life, it's only been because I had the help of so many wonderful people that have been in my organization and team, and my family.

"We have hanging in our office a copy of the Mecklenburg Declaration of Independence of May 20, 1775, in Charlotte. I would like to draw your attention to a few words from that Declaration which you know, '...that

we...are, and...ought to be a sovereign and self-governing (people) under the...power of...God', and we ought to have ourselves under God's power at all times. And that's what's missing in our lives today, in my judgment. And the reason we have so many problems -- we haven't turned to the right source for the solution to our problems.

"We're soon to face another crossroads in our history. In less than four years from now, the world will enter the third millennium. What will it hold for us? Will it be a new era of unprecedented peace and prosperity, or will it be a continuation of our descent into the new depths of crime, oppression, injustice, sexual immorality, and evil? Ironically, many people heralded at the dawn of this twentieth century with optimism. The steady march of scientific and social progress was going on, and they believed that that would vanquish all social problems in the country. Some optimistic theologians founded a magazine called the Christian Century. They said this was to be the Christian century. But no other century has been ravaged by such devastating wars, genocides and tyrannies. During this century, we have witnessed the outer limits of human evil.

"There's never been such a moment when we had the facility to bring evil into the home like we have today. They had a little press conference a moment ago, and somebody asked me what I thought about Ellen. I said, 'I watched five minutes and my wife wouldn't let me watch any more'. So, I'm not going to make any comment because I didn't see it. But no other century has been ravaged by such terrible things as we have seen in the last few years in our country. Our mood on the brink of the twenty-first century is far more somber. Terms like ethnic cleansing, random violence and suicide bombing have become part of our daily vocabulary.

"There's much, of course, that is overwhelmingly good about America, and we thank God for our heritage of freedom and abundant blessings. America has been a nation that has shown a global compassion that the rest of the world seemingly does not understand. We have the strongest civil rights laws on our books of any country in the world. There's never been a country that has such laws as we have, if we only kept them. I'm proud to know that the citizens of North Carolina have an unusual compassion in comparison to citizens of other parts of the world that I go to. We have only to think of Hurricane Hugo, or last year's Hurricane Fran, which hit you all here in Raleigh, including my daughter Ann's neighborhood. In times like that, North Carolinians rally around and show a deep compassion and caring for friends and strangers. After World War II, because we had the atomic bomb, we could have controlled the world, but we didn't. We rebuilt the economies of our enemies, until Japan and Germany became

strong economic powers because of what we did out of compassion for them.

"Nevertheless, something has happened since those days, and there's much about America that is no longer good. You know the problems as well as I do. Racial and ethnic tensions that threaten to rip apart our cities and neighborhoods, not only here but throughout the country. Crime and violence of epidemic proportions in most of our cities. Children taking weapons to schools, if you can believe it. Broken families, poverty, drugs. All of these things, the whole list is known to all of us. We see it almost every day in our newspapers. Would the founders of this State even recognize the society that they sacrificed to establish? I fear not! We have confused liberty with license, and we are paying the awful price.

"We're a society poised on the brink on self destruction, in my judgment, unless God intervenes and helps us. But what's the real cause? We call conferences. We have meeting after meeting. We have shuttle diplomacy going on on almost every subject. But what is the real problem? The real problem is within ourselves. It's in our own hearts. Something has to be done about the heart, the spiritual heart disease that man has.

"Almost 3,000 years ago, King David, the greatest king Israel ever had, sat under the stars and contemplated the reasons for human dilemma. He listed three things that the world's greatest scientists have never been able to solve. And it seems the more we know and the greater our technology, the more difficulties there are. In perhaps the best known passage of the Old Testaments -- Psalm 23 -- that most of you could say by heart, David listed those three problems. The first, he said, the first problem is emptiness. David wrote, 'the Lord is my Shepherd; I shall not want....' In other words, he was indicating other people were wanting something that they couldn't find.

"You can walk down the streets of the average city of America and you see something in the eyes of young people today. They are looking for something and they don't know what it is. And that something, of course, is God. He was not talking just about physical want. He was talking about spiritual and moral want. I stood on the campus of Harvard University, about five or six years ago, and I was talking to the president and the dean. And I asked them, I said, 'what is the greatest problem that you face at Harvard'? And the dean answered. He said, 'our greatest problem is emptiness. Young people are empty'. The human heart craves meaning in life and yet we live in a time of spiritual emptiness that haunts millions.

"Secondly, David mentioned in that Twenty-third Psalm, the problem of guilt. David wrote, 'He restoreth my soul: He leads me in paths of righteousness....' Down inside, we all know that we have not measured up even to our own standards, let alone the standards of God. And I think about the fact that we can't even hang in our classrooms a copy of the Ten Commandments. We're throwing God out and bringing sex in and look what's happening. When we're guilty, down inside we all know that something is wrong.

"Thirdly, David pointed to the problem of death. He said, 'Yea, though I walk through the valley of the shadow of death, I will fear no evil'. I talked to a man, yesterday, that is one of the most powerful men in the Dominion of Canada. He had just found out that he has Alzheimer's. He called me on the phone and we hadn't seen each other in a long time. We used to know each other back in school. And he said, 'I just wanted to hear your voice. I wanted a word of comfort'. He said, 'I've become an agnostic'. His latest book is entitled Farewell to God.

"Death is the one common reality of all human life. I remember when I gave the funeral service for President Nixon in California and all the other Presidents were sitting there. Five. His casket was behind me. I pointed to the casket and I said to all of those former Presidents -- I said, 'some day you will be in a casket just like that'. And I said, 'it may not be long, because', I said, 'none of us knows when it'll be'.

"How many of us stop and really think about death and what's involved. And do we have hope beyond this life? It's the one thing that makes us all equal. We're all going to die. Yes, there are these three things emptiness, guilt and the fear of death that haunt our souls. We frantically seek to drown out their voices, driving ourselves into all sorts of activities, from sex to drugs. But, we must probe deeper. Why is the human heart this way? The reason is because we are alienated from our Creator. That was the answer David found to these three problems. He said, 'the Lord is my Shepherd.'

"This is why I believe the fundamental crisis of our times is a crisis of the spirit. And we're not addressing it in most places. We've lost sight of the moral and the spiritual principles on which this nation was established. Principles drawn largely from the Judeo-Christian tradition, as found in the Bible.

"What is the cure? Is there any hope? I've devoted my life to the deep conviction that there is hope and that hope lies in God. Yes, there's hope.

Our lives can be changed and our world can be changed. The Scripture says you must '...be born again....' (John 3:7) You could have a spiritual rebirth right here and now. When President Carter was elected President and he used that term 'born again', I guess I was asked that question a thousand times all over the world. What does he mean by that? And soon, we had born again automobiles, born again candy and born again no longer was applied to the human heart. It was applied to everything. But he was right, he was quoting Jesus. What must we do to be born again? There are three things, the Scripture says. First, we must repent of our sins.

"In the depths of the American Civil War, Abraham Lincoln called for special days of public repentance and prayer. When Confederate President Jefferson Davis, appointed August 21, 1863, as a day of fasting, humiliation, repentance and prayer, Robert E. Lee instructed his forces this, '...a strict observance of the days enjoined, all military duties will be suspended. Soldiers, we've sinned against Almighty God. We've forgotten His signal mercies and have cultivated a revengeful, haughty, and boastful spirit. God is our only refuge and our strength. Let us humble ourselves before Him. Let us confess our many sins....' So on both sides of that terrible conflict, there were men of leadership that believed in God and believed that we should turn to Him. Our need for repentance is no less today, in 1997.

"What does repentance mean? Repentance means that we're to change our way of thinking. We're to change the direction of our lives. It means to turn from our sins and to commit ourselves to God and His will. Twenty-seven hundred years ago, the Old Testament prophet Isaiah declared, 'seek the Lord while He may be found; call on Him while He is near. Let the wicked forsake his way, and the evil man his thoughts; let him turn to the Lord, and He will have mercy on him; and to our God, for He will freely pardon'. (Isaiah 55:6-7) These words are as true today as they were twenty-five hundred years ago.

"Secondly, we must commit our lives to God and to the moral and spiritual truths that have made this nation great and this state great. Think how different our nation and state would be if we sought to follow the simple and yet profound injunctions of the Ten Commandments and the Sermon on the Mount. But, we must respond to God, who is offering us forgiveness, mercy and supernatural health and power to change.

"Third, our commitment must be translated into actions -- in our homes, in our neighborhoods, and in our society. Jesus taught that there were only two roads of life. He said there's a broad road that's easy; it's

well lighted. It's filled with all the night clubs and all the rest of it. And He said many are on that road. The majority are going that way. But He said, there is a narrow way and it leads by the way of the Cross. And He said if you go that way, you end up in solutions to your problems and in the end, Heaven. And, as we face a new millennium, I believe America has gone a long way down the wrong road. We must turn around and go back and change roads. If ever we needed God's help, it's now. If ever we needed spiritual renewal, it's now. And it can begin today in each one of our lives as we repent before God and yield ourselves to Him and His word.

"What are you going to do as an individual? The newspapers in a Southwestern state have carried the story of one young university student this past week. She's a senior in her university, getting ready to graduate, making straight A's. And so, in one of her final exams in literature, the teacher gave two books that they were to read before they could graduate and write a paper on each one. She started reading and it was filled with nothing but the vilest pornography that you could imagine. And she just sat down and said to the teacher, 'I won't read it'. The only person that stood with her was a black football player, the star of the football team. There they stood, just two in that class, willing to take a stand and say, 'we won't do it'. Well, of course, that made the newspapers. They went to the vice president of the school and he was appalled that a teacher would be offering that in that school and telling the students to read it. But her stand has made an impact on the whole state, from the Governor on down. I don't think we ought to dare to do less. And the reason I'm so proud of that little story is because that girl is my granddaughter. And, she's from Raleigh. Her mother and father are Dr. and Mrs. Lotz.

"The other day I heard the story of a high school principal who held an assembly for graduating seniors, inviting a recruiter from each branch of the service. You've probably heard it and told it. The Army, the Navy, the Air Force, and the Marines. To each were given twelve minutes to present their recruiting message to the student body. Each stressed the importance of each staying within the allotted time of three minutes. The Army representative went first, and he got so carried away with what he was saying that he spoke eighteen minutes. Not to be outdone the Navy said, 'we've got to do better'. So the Navy representative spoke nineteen minutes. And the Air Force thought, well, we can't be outdone either, so he spoke twenty minutes. That left only three minutes for the Marine. The Marine got up. He stood there and he didn't say a word. He just looked at all the people. He just looked them in the eye. And as his head went back and forth and he was looking at these people, he said, 'as I look around, I see only a few that are qualified to me to be an American Marine. And all of

you that would like to be an American Marine, I'll meet you down front afterwards'. Do you know who had the most?

"That's what our young people are waiting for today, this evening, or this afternoon or whatever we are in. I look out across the distinguished group gathered here and I see more than a few men and women who have what it takes, under God, to lead our state and nation, with boldness and courage, forward through the night into the next millennium. To the highest ethical and moral standards as expressed in the Ten Commandments and the Sermon on the Mount.

"Individuals who represent civic and governmental authority, as well as doctors, lawyers, clergy, artists, and media. Meantime, I want to pledge to you to be a loyal citizen of North Carolina, to continue to honor the state and to love the state. To do what I can as I get older and slow down my world travels and spend more time in North Carolina, to do what little bit I can to help you. And I pledge to continue the work that God has called me to do -- to preach the Gospel as long as I live, wherever I am.

"Thank you, and God bless you."

Upon completion of his address, Reverend Graham is presented with a plaque bearing the text of the Resolution honoring him as "World Evangelist" by Senator Basnight and Speaker Brubaker.

After the presentation, Reverend Graham leaves the Hall of the House, escorted by Senator Carpenter, Representative McCombs, and the Sergeant-at-Arms of the House and the Senate.

On motion of Senator Basnight, seconded by Speaker Brubaker, the Joint Session is dissolved and the Senate and the House of Representatives stand adjourned at 6:35 p.m.

FIFTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 6, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend John Lorntz, Fletcher Church of Seventh-Day Adventists, Fletcher, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-1).

Leaves of absence are granted Representatives Berry, Kinney, Mosley, and Wright for today.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 59, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and Permanent Subcommittee are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 614, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SWIFT CREEK, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Hardy and Daughtry, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 16,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING

CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE FOR COMMUNITY SERVICE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 7.

House Committee Substitute for **S.B. 172,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF HUNTING LICENSES FOR CERTAIN DISABLED HUNTERS WHO HAVE NOT COMPLIED WITH THE HUNTING SAFETY COURSE REQUIREMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 250,** A BILL TO BE ENTITLED AN ACT TO CLARIFY PERFECTION OF A SECURITY INTEREST IN AFTER-ACQUIRED REAL PROPERTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLERKS TO ALLOCATE SPOUSE'S AND CHILDREN'S YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE, with a favorable report.

On motion of the Chair, pursuant to Rule 38, the bill is re-referred to the Committee on Finance.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 167, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE ESTABLISHMENT OF A CARDIOVASCULAR DISEASE HEALTH OUTCOME DATA UNIT, AS RECOMMENDED BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 171, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO CONTINUE THE STRIKE OUT STROKE PROJECT IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 529, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO DEFERRED TAXES ARE DUE WHEN PROPERTY TAXED AT PRESENT-USE VALUE IS TRANSFERRED BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 7. The original bill is placed on the Unfavorable Calendar.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED UNDER THE PHARMACY PRACTICE ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 7.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 506,** A BILL TO BE ENTITLED AN ACT TO ALLOW HERTFORD AND NORTHAMPTON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 7.

Committee Substitute for **H.B. 604,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF MOREHEAD CITY AND NEWPORT

TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION OVER AN AREA EXTENDING NOT MORE THAN TWO MILES FROM THEIR CORPORATE LIMITS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 7.

Committee Substitute for **H.B. 698,** A BILL TO BE ENTITLED AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 7.

Committee Substitute for **H.B. 722,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WASHINGTON TO NEGOTIATE ANNEXATION AGREEMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 7.

Committee Substitute for **H.B. 789,** A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE TOWN OF OAKBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 7.

SUBCOMMITTEE REFERRALS

Representative Holmes, Senior Ranking Member and Co-Chair for the Standing Committee on Appropriations, refers the following bills to the Permanent Subcommittee on Education.

H.B. 377, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE BUSINESS/INDUSTRY SKILLS TRAINING CENTER AT THE SOUTHEASTERN COMMUNITY COLLEGE;

H.B. 957, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF THE INDUSTRIAL CONSTRUCTION BUILDING AT PITT COMMUNITY COLLEGE;

H.B. 963, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF

NORTH CAROLINA FOR THE CONSTRUCTION OF A COMMUNITY FINE ARTS CENTER AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 992, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA;

H.B. 1172, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR CAPITAL IMPROVEMENTS TO THE HINES HALL COMPLEX AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

Committee Substitute for **H.B. 157,** A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS ATTENDING COMMUNITY COLLEGES;

H.B. 961, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND AND UPGRADE THE COMMUNITY LINK PROGRAM TO PROVIDE ADDITIONAL EDUCATIONAL SERVICES TO WESTERN NORTH CAROLINA;

Committee Substitute for **H.B. 256,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REPORTING OF THE USE OF FUNDS FOR PUBLIC SCHOOLS AT THE UNIT AND BUILDING LEVELS; TO ALLOW THE STATE BOARD TO SUSPEND LOCAL BUDGET FLEXIBILITY IF A LOCAL BOARD FAILS OR REFUSES TO COMPLY WITH LAWS AND RULES CONCERNING THE BUDGETING, MANAGEMENT, AND EXPENDITURE OF PUBLIC SCHOOL FUNDS; TO PROHIBIT LOCAL BOARDS FROM USING STATE FUNDS AND FROM USING STATE FUNDS TO SUPPLANT OTHER FUNDS IN ORDER TO BUY OUT SUPERINTENDENTS' CONTRACTS; AND TO MAKE AN APPROPRIATION;

H.B. 308, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT A PROVISION ALLOWING SAVINGS IN EMPLOYER FICA CONTRIBUTIONS TO BE USED TO PAY FOR ADMINISTRATIVE EXPENSES OF FLEXIBLE COMPENSATION PROGRAMS FOR STATE EMPLOYEES AND EMPLOYEES OF EDUCATIONAL INSTITUTIONS SUPPORTED BY THE STATE;

H.B. 381, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST APPROVED CHARTER SCHOOLS TO MEET THEIR START-UP COSTS;

H.B. 454, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING;

H.B. 462, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT A MINIMUM SALARY SCHEDULE FOR ALL NONCERTIFIED PUBLIC SCHOOL EMPLOYEES AND TO APPROPRIATE FUNDS FOR THAT PURPOSE;

H.B. 509, A BILL TO BE ENTITLED AN ACT TO ALLOCATE PART OF THE INVESTMENT EARNINGS ON THE 1996 PUBLIC SCHOOL BUILDING BONDS FOR SMALL COUNTY SCHOOL SYSTEMS;

Committee Substitute for **H.B. 512,** A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO SUSPEND FOR THREE HUNDRED SIXTY-FIVE DAYS OR TO REMOVE TO AN ALTERNATIVE EDUCATIONAL SETTING A STUDENT WHO PHYSICALLY ASSAULTS AND SERIOUSLY INJURES A TEACHER OR OTHER PERSON; TO REQUIRE PARENT'S AFFIRMATION THAT STUDENT IS NOT SUSPENDED OR EXPELLED FROM ANOTHER SCHOOL BEFORE ADMISSION TO ANY PUBLIC SCHOOL; TO ALLOW LOCAL BOARDS OF EDUCATION TO DENY ADMISSION TO ANY STUDENT WHO HAS BEEN SUSPENDED OR EXPELLED FROM ANOTHER SCHOOL; TO REQUIRE NOTICE OF SUSPENSION AND EXPULSION TO BE MADE PART OF STUDENT'S OFFICIAL RECORD; TO REQUIRE NOTIFICATION OF STUDENT'S SCHOOL WHEN STUDENT IS CHARGED WITH A FELONY OR WHEN STUDENT IS ALLEGED OR FOUND TO BE DELINQUENT FOR AN OFFENSE THAT WOULD BE A FELONY IF COMMITTED BY AN ADULT; TO PROVIDE FOR THE SCHOOL'S USE OF JUVENILE COURT RECORDS; TO MAKE PRINCIPAL'S FAILURE TO REPORT CERTAIN ACTS TO LAW ENFORCEMENT A CLASS 3 MISDEMEANOR; TO ENCOURAGE PRINCIPALS TO CONVENE MEETINGS TO IDENTIFY SCHOOL SAFETY AND DISCIPLINE CONCERNS; TO REQUIRE SCHOOL IMPROVEMENT PLANS TO INCLUDE STRATEGIES TO ADDRESS SCHOOL SAFETY AND DISCIPLINE CONCERNS; TO DIRECT THE BOARD OF GOVERNORS IN CONSULTATION WITH

OTHER AGENCIES TO DEVELOP A TRAINING PROGRAM TO PROMOTE LOCAL COLLABORATION ON SCHOOL SAFETY AND DISCIPLINE ISSUES AND TO MAKE AN APPROPRIATION FOR THIS PURPOSE; TO APPROPRIATE ADDITIONAL FUNDS FOR ALTERNATIVE SCHOOLS; AND TO MAKE TECHNICAL AND CONFORMING CHANGES;

H.B. 679, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A PUBLIC-PRIVATE PARTNERSHIP TO EXPAND TECHNOLOGY IN NORTH CAROLINA PUBLIC SCHOOLS, INCLUDING A VOCATIONAL EDUCATION COMPUTER RECYCLING PILOT PROGRAM;

H.B. 822, A BILL TO BE ENTITLED AN ACT TO PROVIDE STATE FUNDS FOR A SCHOOL RESOURCE OFFICER AT COLUMBIA HIGH SCHOOL TO THE TYRRELL COUNTY SHERIFF'S DEPARTMENT INSTEAD OF THE TYRRELL COUNTY BOARD OF EDUCATION;

H.B. 864, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REDUCE CLASS SIZE IN THE THIRD GRADE;

H.B. 947, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MCSMILES PROGRAM, A MOBILE PRESCHOOL PROGRAM FOR PRESCHOOL-AGED CHILDREN AND THEIR PARENTS;

H.B. 479, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 494, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS FOR CAPITAL IMPROVEMENTS AT THE INSTITUTE OF GOVERNMENT;

H.B. 575, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE DIAGNOSTIC AND TREATMENT SERVICES FOR CHILDREN WITH CRANIOFACIAL ANOMALIES INCLUDING CLEFT LIP/PALATE; and

H.B. 767, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TWO NEW UNIVERSITY OF NORTH CAROLINA CONSORTIA AT FAYETTEVILLE STATE UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE.

The following bills are reassigned to the Permanent Subcommittee on Education from the Permanent Subcommittee on Capital and Budget.

H.B. 161, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OPERATION OF THE MODEL TEACHER EDUCATION CONSORTIUM;

H.B. 273, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES AT THE CENTER FOR APPLIED TEXTILE TECHNOLOGY;

H.B. 32, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW CLASSROOM BUILDING AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY; and

H.B. 33, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LAND ACQUISITION FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY.

Representatives Shubert and Russell, Co-Chairs, for the Standing Committee on Education, refer:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MODEL TEACHER EDUCATION CONSORTIUM TO INCLUDE CUMBERLAND, ROBESON, AND HOKE COUNTIES, FAYETTEVILLE STATE UNIVERSITY, THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, ROBESON COMMUNITY COLLEGE, AND FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE, to the Permanent Subcommittee on Universities.

S.B. 265, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES ON SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTIONS IN THE UNIVERSITY OF NORTH CAROLINA SYSTEM TO CLARIFY THE ROLE OF THE OFFICE OF THE STATE AUDITOR, to the Permanent Subcommittee on Universities.

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CIVIC EDUCATION PROGRAM FOR MIDDLE SCHOOL CLASSES, to the Permanent Subcommittee on Pre-School, Elementary, and Secondary Education.

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE INTEREST ACCUMULATED EACH QUARTER BY THE SAVINGS

RESERVE ACCOUNT TO THE SCHOOL TECHNOLOGY FUND AND TO APPROPRIATE FUNDS FOR THE SCHOOL TECHNOLOGY FUND, to the Permanent Subcommittee on Pre-School, Elementary, and Secondary Education.

H.B. 1225, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PICK UP AND DISCHARGE PUPILS AT PLACES DESIGNATED BY PARENTS AND TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR THE IMPLEMENTATION OF THIS ACT, to the Permanent Subcommittee on Pre-School, Elementary, and Secondary Education.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Buchanan:

H.B. 1226, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PART OF THE TAX ON DIESEL FUEL SOLD TO MOTOR CARRIERS SHALL BE PAID WITH THE CARRIER'S PERIODIC REPORT RATHER THAN AT THE PUMP, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 595,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is withdrawn from the Calendar and placed on the Calendar of May 7.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 655,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF MADISON, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Berry, Kinney, Mosley, and Wright - 4.

H.B. 750, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye,

Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Berry, Kinney, Mosley, and Wright - 4.

H.B. 773, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Berry, Kinney, Mosley, and Wright - 4.

Committee Substitute for **H.B. 844,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO RESTRICT ANNEXATION OF THE CITY BEYOND A LINE.

Representative Allred moves that the bill be withdrawn from the Calendar and placed on the Calendar of May 8. The motion fails by electronic vote (9-104).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 111.

Voting in the negative: Representatives Allred, McComas, and Reynolds - 3.

Excused absences: Representatives Berry, Kinney, Mosley, and Wright - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 653, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan,

Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Berry, Kinney, Mosley, and Wright - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 363, A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Berry, Kinney, Mosley, and Wright - 4.

S.B. 98, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Berry, Kinney, Mosley, and Wright - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 151, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTY OF AN OWNER, OPERATOR, OR OTHER RESPONSIBLE PARTY OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE TO NOTIFY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OF THE EXISTENCE OF THE SITE, TO REQUIRE OWNERS, OPERATORS, AND OTHER RESPONSIBLE PARTIES TO FURNISH INFORMATION REGARDING THE SITE, AND TO SIMPLIFY THE INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE INVENTORY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

RE-REFERRAL

On motion of Representative Neely, pursuant to Rule 39.2 and without objection, Committee Substitute for **S.B. 430,** A BILL TO BE ENTITLED

AN ACT TO PROVIDE TITLE PROTECTION FOR THE PROFESSION OF INDUSTRIAL HYGIENISTS, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, seconded by Representative Tolson, the House adjourns at 2:36 p.m. to reconvene May 7 at 2:00 p.m.

FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 7, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, Associate Pastor, Highland United Methodist Church, Raleigh, North Carolina.

"Almighty God, in a world of change, in times when the decisions we face are becoming ever more complex, You placed eternity in our hearts and gave us the power to discern good from evil. Grant us sincerity as the leaders of this great State, so that we may persistently seek the things that endure, that we may deny ourselves those things which seek to bring only personal victory and success, and that we may refuse those things which lead to the destruction of others. Amid the things that are vanishing and deceptive, give us the spirit of discernment to see truth steadily and follow it faithfully. Guide us now in our legislation that we all might seek the greater good of Your people and that as those who have been entrusted by the people of North Carolina with a sacred trust might act and think and speak and vote according to that trust which has been given to us as a gift from You.

"In the name of Almighty God we pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (106-2).

Leaves of absence are granted Representatives Black, Blue, and McMahan for today. Representative Gamble is excused for a portion of the session.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

May 6, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 115C-10, I hereby appoint John R. Lauritzen to serve as a member of the North Carolina State Board of Education and submit his name for confirmation by the North Carolina General Assembly. Mr. Lauritzen will serve a term to begin May 6, 1997 and to expire March 31, 2005.

Enclosed is biographical information on Mr. Lauritzen. Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on Education.

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

May 6, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 115C-10, I hereby re-appoint Dr. Jay M. Robinson to serve as a member of the North Carolina State Board of Education and submit his name for confirmation by the North Carolina General Assembly. Dr. Robinson will serve a term to expire March 31, 2005.

Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on Education.

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

May 6, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 115C-10, I hereby appoint Evelyn B. Monroe to serve as a member of the North Carolina State Board of Education and submit her name for confirmation by the North Carolina General Assembly. Ms. Monroe will serve a term to expire March 31, 2005.

Please feel free to call on her or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Speaker refers the letter to the Committee on Education.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

S.B. 800, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE AUTHORITY TO EMPLOY AN EXECUTIVE SECRETARY FOR THE JUDICIAL STANDARDS COMMISSION FROM THE COMMISSION AS A WHOLE TO THE COMMISSION CHAIR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 891, A BILL TO BE ENTITLED AN ACT TO UPDATE AND REVISE THE LAWS AFFECTING LOCAL GOVERNMENT CONTRACTING, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 804,** A BILL TO BE ENTITLED AN ACT TO GIVE LINCOLN COUNTY AUTHORITY TO BUILD AND IMPROVE ROADS WITHIN LINCOLN COUNTY THAT ARE NOT PART OF THE STATE HIGHWAY SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 8.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 430, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL REGISTRATION PLATES FOR SHERIFFS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 8.

Committee Substitute for **H.B. 769,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1073, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE TITLE APPLICATIONS AND FEES TO THE STATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 1107,** A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE MEMBERSHIP OF FACILITY AUTHORITIES AND ROOM OCCUPANCY TAX ALLOCATIONS FOR CAPITAL IMPROVEMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Allred for the Committee on Ways and Means:

S.B. 356, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 453, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Brown for the Committee on Agriculture:

H.B. 1092, A BILL TO BE ENTITLED AN ACT TO PHASE DOWN THE SALES TAX ON ELECTRICITY AND PIPED NATURAL GAS USED IN FARMING AND MANUFACTURING, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 266,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PRODUCTION AND SALE OF RED DEER, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

H.B. 166, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND FUND PHYSICAL FITNESS PROGRAMS AS RECOMMENDED

BY THE HEART DISEASE AND STROKE PREVENTION TASK FORCE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **S.B. 945,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PRESCRIBER'S AND THE PATIENT'S CONSENT FOR INTERCHANGE OF A LIMITED CLASS OF DRUGS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of May 8. The Senate committee substitute bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Sexton and without objection, **H.B. 653,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, is withdrawn from the Calendar and re-referred to the Committee on Finance, Subcommittee on Local, Regional, and State Revenues.

CALENDAR

Action is taken on the following:

S.B. 363, A BILL TO BE ENTITLED AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler,

Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representative Capps.

Excused absences: Representatives Black, Blue, and McMahan - 3.

Committee Substitute for **H.B. 604,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF MOREHEAD CITY AND NEWPORT TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION OVER AN AREA EXTENDING NOT MORE THAN TWO MILES FROM THEIR CORPORATE LIMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Black, Blue, and McMahan - 3.

Committee Substitute for **H.B. 698,** A BILL TO BE ENTITLED AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Black, Blue, and McMahan - 3.

Committee Substitute for **H.B. 722,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WASHINGTON TO NEGOTIATE ANNEXATION AGREEMENTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson,

Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Black, Blue, and McMahan - 3.

Committee Substitute for **H.B. 789,** A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE TOWN OF OAKBORO, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Black, Blue, and McMahan - 3.

S.B. 98, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner,

Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: Representative Watson.

Excused absences: Representatives Black, Blue, and McMahan - 3.

House Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT.

Representative Berry offers Amendment No. 1 which fails of adoption by electronic vote (22-92).

Representative Hall offers Amendment No. 2 which is adopted by electronic vote (101-10).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representatives Berry, Insko, Michaux, and Shubert - 4.

Excused absences: Representatives Black, Blue, Gamble, and McMahan - 4.

Committee Substitute for **H.B. 529,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEFERRED TAXES DUE ON PROPERTY THAT IS TAXED AT ITS PRESENT-USE VALUE WILL BE PAID BY THE PERSON TO WHOM THE LAND IS TRANSFERRED IF THE PROPERTY IS TRANSFERRED BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION.

Representative Clary offers Amendment No. 1 which is adopted by electronic vote (109-0).

Representative Owens requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Luebke and Neely - 2.

Excused absences: Representatives Black, Blue, Gamble, and McMahan - 4.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 151, AN ACT TO CLARIFY THE DUTY OF AN OWNER, OPERATOR, OR OTHER RESPONSIBLE PARTY OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE TO NOTIFY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OF THE EXISTENCE OF THE SITE, TO REQUIRE OWNERS, OPERATORS, AND OTHER RESPONSIBLE PARTIES TO FURNISH INFORMATION REGARDING THE SITE, AND TO SIMPLIFY THE INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE INVENTORY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

CALENDAR (continued)

H.B. 933, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED UNDER THE PHARMACY PRACTICE ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Russell, Saunders, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 99.

Voting in the negative: Representatives Allred, Baker, Capps, Davis, Eddins, Hardy, Hightower, Morris, Nichols, Rayfield, Sexton, Starnes, and Wood - 13.

Excused absences: Representatives Black, Blue, Gamble, and McMahan - 4.

Committee Substitute for **H.B. 506,** A BILL TO BE ENTITLED AN ACT TO ALLOW HERTFORD AND NORTHAMPTON COUNTIES TO

ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Allred, Capps, Ellis, Hardy, Morris, and Nichols - 6.

Excused absences: Representatives Black, Blue, Gamble, and McMahan - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 428, A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER PLANNING COUNCIL, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Committee Substitute for **S.B. 16,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE

FOR COMMUNITY SERVICE, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

RE-REFERRAL

On motion of Representative Shubert, pursuant to Rule 39.2, **S.B. 1054,** A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES, CITIES, AND LOCAL BOARDS OF EDUCATION TO ESTABLISH REQUIREMENTS CONCERNING DOING BUSINESS WITH THE UNION OF MYANMAR, FORMERLY BURMA, IN PROJECTS FINANCED BY PUBLIC FUNDS, is withdrawn from the Committee on Education and re-referred to the Committee on Commerce.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
May 7, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 272,** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, and requests conferees. The President Pro Tempore appoints:

Senator Winner, Chairman
Senator Lee
Senator Garwood
Senator Hartsell
Senator Dalton

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

On motion of Representative Morgan, seconded by Representative Owens, the House adjourns at 3:22 p.m. to reconvene May 8 at 12:30 p.m.

FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 8, 1997

The House meets at 12:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, Raleigh, North Carolina.

"Almighty God, by You...we who are meek, are guided in judgment; and from You true light rises up out of the darkness for the godly. You have promised strength for the weak, rest for the laborers, grace for the trials, unfailing sympathy, undying love, and light for the way. Remove from our hearts and minds: hatred, prejudice, and contempt for those who are not of our own race, color, class, creed, or party. Help us in our legislation to depart from everything that estranges and divides us so that truth and justice would reign supreme. Grant us few, who face making decisions on behalf of millions, grace in all of our doubts and uncertainties, to ask You what You would have us to do so that we may be saved from all false choices. Grant that in Your light we may see truth, and that following in Your path, we may not stumble. We pray this prayer as Your humble servants in the name of God. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 7 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-3).

Leaves of absence are granted Representatives Blue, Brawley, Brown, Church, Gamble, and Wood for today. Representative Arnold is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 16, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE FOR COMMUNITY SERVICE.

S.B. 428, AN ACT TO CREATE THE BUTNER PLANNING COUNCIL.

H.B. 203, AN ACT TO SUPPLEMENT CLARK'S CALENDAR, WHICH MAY BE INTRODUCED IN EVIDENCE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H.B. 954, AN ACT TO AMEND EXISTING LAW PERTAINING TO SESSIONS OF THE SUPREME COURT.

H.B. 1033, AN ACT TO GIVE OUT-OF-STATE BANKS TWO MORE YEARS TO ESTABLISH AND MAINTAIN A DE NOVO BRANCH OR A BRANCH THROUGH ACQUISITION PURSUANT TO CERTAIN CONDITIONS.

S.B. 98, AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 363, AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

By Representative Reynolds for the Committee on Technology:

H.B. 1212, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A PILOT PROGRAM FOR CERTIFIED NETWORK ADMINISTRATION (CNA) TRAINING IN NORTH CAROLINA PUBLIC SCHOOLS AND DEVELOP A PROPOSAL FOR THE INTERACTIVE VISUAL TECHNOLOGIES CENTER, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 305,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE LIMIT FOR AN ASSESSMENT WHEN THE ASSESSMENT IS PAID BY PEANUT PRODUCERS FOR THE PROMOTION OF PEANUTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Crawford for the Permanent Subcommittee on Universities of the Standing Committee on Education, with approval of standing committee co-chairs, for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 265,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES ON SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTIONS IN THE UNIVERSITY OF NORTH CAROLINA SYSTEM TO CLARIFY THE ROLE OF THE OFFICE OF THE STATE AUDITOR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 12.

By Representatives Hardy and Daughtry, Co-Chairs, for the Committee on Judiciary I:

S.B. 106, A BILL TO BE ENTITLED AN ACT TO ALLOW REGIONAL SALES OF PERSONAL PROPERTY SEIZED FOR UNPAID TAXES TO BE HELD IN ANY COUNTY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 251,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON LAW TO PERMIT THE CREATION OF EASEMENTS, RESTRICTIONS, AND COVENANTS BY A LANDOWNER, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, reassigns the following bills from the Permanent Subcommittee on Education to the Permanent Subcommittee on Capital and Budget.

H.B. 32, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW CLASSROOM BUILDING AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 33, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LAND ACQUISITION FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 273, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES AT THE CENTER FOR APPLIED TEXTILE TECHNOLOGY;

H.B. 494, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS FOR CAPITAL IMPROVEMENTS AT THE INSTITUTE OF GOVERNMENT;

H.B. 509, A BILL TO BE ENTITLED AN ACT TO ALLOCATE PART OF THE INVESTMENT EARNINGS ON THE 1996 PUBLIC

SCHOOL BUILDING BONDS FOR SMALL COUNTY SCHOOL SYSTEMS;

H.B. 957, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF THE INDUSTRIAL CONSTRUCTION BUILDING AT PITT COMMUNITY COLLEGE;

H.B. 963, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF A COMMUNITY FINE ARTS CENTER AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 992, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; and

H.B. 1172, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR CAPITAL IMPROVEMENTS TO THE HINES HALL COMPLEX AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY.

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, reassigns **H.B. 575,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE DIAGNOSTIC AND TREATMENT SERVICES FOR CHILDREN WITH CRANIOFACIAL ANOMALIES INCLUDING CLEFT LIP/PALATE, from the Permanent Subcommittee on Education to the Permanent Subcommittee on Natural and Economic Resources.

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers the following bills to the Permanent Subcommittee on Capital and Budget.

H.B. 245, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WETLANDS RESTORATION PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 330, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTING CERTAIN BUILDINGS AT THE PIEDMONT-TRIAD FARMERS MARKET;

H.B. 620, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT A FINE AND PERFORMING ARTS CENTER AT WESTERN CAROLINA UNIVERSITY;

H.B. 883, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING;

H.B. 1174, A BILL TO BE ENTITLED AN ACT TO DIRECT THE USE OF UNEXPENDED FUNDS FOR THE CAPITAL COSTS OF CONSTRUCTING A FARMER'S MARKET IN WILSON COUNTY;

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTER FOR MARINE SCIENCE AND TECHNOLOGY;

H.B. 1211, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SUPPLEMENTAL FUNDING TO COMPLETE VARIOUS CAPITAL PROJECTS IN THE UNIVERSITY SYSTEM;

H.B. 331, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE ROLLINS ANIMAL DISEASE DIAGNOSTIC LABORATORY;

H.B. 362, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMPLETION OF THE SOUTHEASTERN FARMERS' MARKET AND AGRICULTURAL CENTER;

H.B. 364, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR CAPITAL IMPROVEMENTS AT THE CENTER FOR ENVIRONMENTAL FARMING SYSTEMS;

H.B. 472, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PLANNING DORTON ARENA IMPROVEMENTS;

H.B. 582, A BILL TO BE ENTITLED AN ACT TO DIRECT THE USE OF UNEXPENDED FUNDS FOR THE CAPITAL COSTS OF CONSTRUCTING A FACILITY TO REPLACE THE EASTERN NORTH CAROLINA LIVESTOCK ARENA;

H.B. 593, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXPANSION OF THE THREE NORTH CAROLINA AQUARIUMS;

H.B. 610, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WILDLIFE RESOURCES COMMISSION FOR ACQUISITION OF GAMELANDS IN THE SOUTH MOUNTAINS;

H.B. 635, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE;

H.B. 763, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE NORTH CAROLINA MUSEUM OF FORESTRY;

H.B. 950, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE NORTH CAROLINA TRANSPORTATION MUSEUM LOCATED IN SPENCER;

H.B. 971, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW HEADQUARTERS BUILDING AT THE JONES COUNTY FORESTRY HEADQUARTERS;

H.B. 991, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR CAPITAL IMPROVEMENTS TO THE U.S.S. NORTH CAROLINA BATTLESHIP;

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO RESERVE TEN PERCENT OF THE UNRESERVED CREDIT BALANCE IN THE GENERAL FUND AT THE END OF EACH FISCAL YEAR TO THE CLEAN WATER REVOLVING LOAN AND GRANT FUND; and

H.B. 1171, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE CONSTRUCTION OF THE BLUE RIDGE REGIONAL DESTINATION CENTER.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS

TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, is returned for concurrence in Senate committee substitute, which is ruled to be material, and placed on the Calendar of May 12.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 604,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF MOREHEAD CITY AND NEWPORT TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION OVER AN AREA EXTENDING NOT MORE THAN TWO MILES FROM THEIR CORPORATE LIMITS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

Committee Substitute for **H.B. 698,** A BILL TO BE ENTITLED AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

Committee Substitute for **H.B. 722,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WASHINGTON TO NEGOTIATE ANNEXATION AGREEMENTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

Committee Substitute for **H.B. 789,** A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE TOWN OF OAKBORO, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

Committee Substitute for **H.B. 804,** A BILL TO BE ENTITLED AN ACT TO GIVE LINCOLN COUNTY AUTHORITY TO BUILD AND IMPROVE ROADS WITHIN LINCOLN COUNTY THAT ARE NOT PART OF THE STATE HIGHWAY SYSTEM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton,

Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representative Baker.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

House Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT.

On motion of Representative Owens, the bill is temporarily displaced.

Committee Substitute for **H.B. 529,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEFERRED TAXES DUE ON PROPERTY THAT IS TAXED AT ITS PRESENT-USE VALUE WILL BE PAID BY THE PERSON TO WHOM THE LAND IS TRANSFERRED IF THE PROPERTY IS TRANSFERRED BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Luebke and Neely - 2.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED UNDER THE PHARMACY PRACTICE ACT.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hensley, Hiatt, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Russell, Saunders, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 96.

Voting in the negative: Representatives Allred, Arnold, Baker, Capps, Eddins, Ellis, Hall, Hardy, Hightower, Nichols, Rayfield, Sexton, and Starnes - 13.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

Committee Substitute for **H.B. 506,** A BILL TO BE ENTITLED AN ACT TO ALLOW HERTFORD AND NORTHAMPTON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols,

Nye, Oldham, Owens, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Capps, Eddins, Ellis, and Hardy - 4.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL REGISTRATION PLATES FOR SHERIFFS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representatives Creech and Hensley - 2.

Excused absences: Representatives Blue, Brawley, Brown, Church, Gamble, and Wood - 6.

House Committee Substitute for **S.B. 945,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PRESCRIBER'S AND THE PATIENT'S CONSENT FOR INTERCHANGE OF A LIMITED CLASS OF DRUGS.

Representative Daughtry requests that he be excused from voting on this bill under Rule 24.1A, because his law partner is a lobbyist against the bill, and this request is granted.

Representative Miller moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Insurance.

Representative McComas calls the previous question on the motion and the call is sustained by electronic vote (76-35).

The motion to re-refer fails by electronic vote (36-75).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-45).

The bill passes its second reading by electronic vote (82-29).

Representative Miller objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, which was temporarily displaced, is before the Body.

Representative Cansler offers Amendment No. 3 which is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Arnold, Blue, Brawley, Brown, Church, Gamble, and Wood - 7.

Amendment No. 3 is ruled to be material, thus constituting the first reading, and the bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 804,** A BILL TO BE ENTITLED AN ACT TO GIVE LINCOLN COUNTY AUTHORITY TO BUILD AND IMPROVE ROADS WITHIN LINCOLN COUNTY THAT ARE NOT PART OF THE STATE HIGHWAY SYSTEM, is withdrawn from the Calendar of May 12 and re-referred to the Committee on Transportation.

On motion of Representative Morgan, seconded by Representative Esposito, the House adjourns at 1:46 p.m. to reconvene Monday, May 12, 1997, at 7:00 p.m.

FIFTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 12, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Davis.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-2).

Leaves of absence are granted Representatives Barbee, Dockham, and Wright for today. Representative Wainwright is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 956, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE CITY OF GOLDSBORO AND HONORING THE MEMORY OF MAJOR MATTHEW TILGHMAN GOLDSBOROUGH, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 1153, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE TOWN OF FRANKLINVILLE AND HONORING THE MEMORY OF JESSE FRANKLIN, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

By Representative Capps for the Permanent Subcommittee on Preschool, Elementary, and Secondary Education of the Standing Committee on Education, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CIVIC EDUCATION PROGRAM FOR MIDDLE SCHOOL CLASSES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE INTEREST ACCUMULATED EACH QUARTER BY THE SAVINGS RESERVE ACCOUNT TO THE SCHOOL TECHNOLOGY FUND AND TO APPROPRIATE FUNDS FOR THE SCHOOL TECHNOLOGY FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Hardy and Daughtry, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 625,** A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN EXCESS OF THE POSTED SPEED ON

SCHOOL GROUNDS AN INFRACTION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Crawford for the Permanent Subcommittee on Universities of the Standing Committee on Education:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MODEL TEACHER EDUCATION CONSORTIUM TO INCLUDE CUMBERLAND, ROBESON, AND HOKE COUNTIES, FAYETTEVILLE STATE UNIVERSITY, THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, ROBESON COMMUNITY COLLEGE, AND FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE, reported to the Standing Committee on Education with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill, and recommend that the proposed committee substitute bill be re-referred to the Committee on Appropriations.

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

Senate Committee Substitute for **H.B. 143,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ANNUAL AUDITED REPORTS ARE TO BE SUBMITTED BY ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES, with recommendation that the House concur.

The bill is placed on the Calendar of May 13.

Committee Substitute for **S.B. 943,** A BILL TO BE ENTITLED AN ACT TO ENACT THE MEDICAL ASSISTANCE PROVIDER FALSE CLAIMS ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

By Representative McComas for the Permanent Subcommittee on Health of the Standing Committee on Insurance, with approval of standing committee chair for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 247,** A BILL TO BE ENTITLED AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Reynolds for the Committee on Technology:

H.B. 973, A BILL TO BE ENTITLED AN ACT DIRECTING THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A PILOT PROGRAM THAT ALLOWS NEW MOTOR VEHICLE DEALERS TO ISSUE REGISTRATION PLATES FOR NEW MOTOR VEHICLES SOLD BY THEM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 989,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR THE SCHOOL ADMINISTRATOR'S EXAM, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of May 13. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 1,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO

CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO PROVIDE FOR A TWO DOLLAR CHECKOFF FOR THE POLITICAL PARTIES FINANCING FUND; AND TO REQUIRE THAT CONTRIBUTIONS BE DEPOSITED WITHIN TEN DAYS OF RECEIPT, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 847, A BILL TO BE ENTITLED AN ACT AUTHORIZING MEMBERS OF THE PIEDMONT TRIAD REGIONAL WATER AUTHORITY TO ENTER INTO CERTAIN AGREEMENTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 939,** A BILL TO BE ENTITLED AN ACT TO EARMARK TEN PERCENT OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS AND TO REQUIRE REFUNDS OF THE DRUG TAX WHERE THE PERSON IS NOT CONVICTED OF THE DRUG-RELATED CRIME, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of May 13. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 653, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A

REFERENDUM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 13. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Sherrill, Beall, Cansler, R. Hunter, Nesbitt, and Ramsey:

H.J.R. 1227, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GORDON HICKS GREENWOOD, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of May 12 are introduced to the membership. They are: Rebekah Ann Care of Forsyth; Jackie Renee Carter of Caswell; Jesse Dorine Carter of Caswell; David R. Dixon of Wilkes; Nichole Renee Florence of Cumberland; Susan Celestine Gaither of Iredell; Jennifer Joy Gilstrap of Randolph; Molly Park Hassinger of Wake; Katherine Haven of Pitt; Kristen Haven of Pitt; Kristin Marie Hissong of Cabarrus; Erica Susanne Kilgo of Henderson; Katie Ann Ledbetter of Henderson; Charlotte Sloan McClure of Wake; Steven Mark McCraw of McDowell; Jeremy Paul Newman of Durham; Laura Elizabeth Oliver of Alamance; Joseph Tyler Patrick of Cleveland; Dana Nichelle Powell of Johnston; Bradley Carr Prosser of Wake; Bridget Elaine Rawls of Onslow; Shara Tomlinson of Wake; Sarah Crist White of Wake; and Caroline Cameron Wood of Wake.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

On motion of Representative Neely and without objection, the bill is temporarily displaced.

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL REGISTRATION PLATES FOR SHERIFFS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: Representatives Creech and Hensley - 2.

Excused absences: Representatives Barbee, Dockham, Wainwright, and Wright - 4.

House Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer,

Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 106.

Voting in the negative: Representatives Berry, Creech, Hensley, Howard, Michaux, and Shubert - 6.

Excused absences: Representatives Barbee, Dockham, Wainwright, and Wright - 4.

Committee Substitute for **H.B. 1107,** A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE MEMBERSHIP OF FACILITY AUTHORITIES AND ROOM OCCUPANCY TAX ALLOCATIONS FOR CAPITAL IMPROVEMENTS.

Representative Capps offers Amendment No. 1.

Representative Neely inquires of the Chair if the amendment is germane. The Chair rules that the amendment is not germane.

Representative Capps moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Decker inquires of the Chair if it is permissible to combine public and local issues in the same bill. The Chair rules that the bill contains a bond issue, is considered a public bill, and is properly before the Body.

The motion to re-refer fails by electronic vote (25-88).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney,

Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: Representatives Berry, Davis, and Howard - 3.

Excused absences: Representatives Barbee, Dockham, Wainwright, and Wright - 4.

House Committee Substitute for **S.B. 945,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PRESCRIBER'S AND THE PATIENT'S CONSENT FOR INTERCHANGE OF A LIMITED CLASS OF DRUGS.

Pursuant to Rule 24.1A(c), the excused vote of Representative Daughtry from May 8 is continued.

Representative Miller offers Amendment No. 1 which fails of adoption by electronic vote (37-77).

Representative McComas calls the previous question on the passage of the bill and the call is sustained by electronic vote (76-39).

The bill passes its third reading, by electronic vote (101-14), and is ordered sent to the Senate for concurrence in House committee substitute.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 100, AN ACT TO PROVIDE FOR ELECTION OF MEMBERS OF THE HERTFORD COUNTY BOARD OF EDUCATION IN NOVEMBER OF EVEN-NUMBERED YEARS.

H.B. 236, AN ACT TO INCORPORATE THE CITY OF TRINITY.

H.B. 309, AN ACT TO ALLOW THE CITY OF CHARLOTTE TO ISSUE TICKETS FOR OVERTIME PARKING ON CITY STREETS.

H.B. 531, AN ACT TO INCREASE THE SIZE OF THE PITT COUNTY ABC BOARD FROM THREE TO FIVE MEMBERS.

H.B. 583, AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF KINGS MOUNTAIN LOCAL ALCOHOLIC BEVERAGE CONTROL BOARD.

H.B. 636, AN ACT TO ALLOW THE TOWN OF MANTEO TO REGULATE CERTAIN ACTIVITIES IN WATERWAYS ADJACENT TO THE TOWN.

H.B. 649, AN ACT ABOLISHING THE OFFICE OF CORONER IN CHEROKEE COUNTY.

H.B. 851, AN ACT TO ESTABLISH A NO-WAKE ZONE FOR THE TOWN OF CAPE CARTERET AND AREAS WITHIN THE TOWN'S EXTRATERRITORIAL PLANNING JURISDICTION.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 363, AN ACT TO ALLOW HARNETT COUNTY TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY. (S.L. 1997-42)

RE-REFERRALS

On motion of Representative Miner and without objection, **H.B. 495,** A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE ACTUAL COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION, is withdrawn from the Committee on Commerce and re-referred to the Committee on Finance.

On motion of Representative Miner and without objection, **H.B. 497,** A BILL TO BE ENTITLED AN ACT TO EXTEND FOR AN ADDITIONAL

YEAR THE ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR POSITIVE-RATED EMPLOYERS, is withdrawn from the Committee on Commerce and re-referred to the Committee on Finance.

On motion of Representative Weatherly and without objection, **S.B. 537,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE, is withdrawn from the Committee on State Government and re-referred to the Committee on Appropriations, Subcommittee on Capital and Budget.

On motion of Representative Morgan, seconded by Representative Sexton, the House adjourns at 8:42 p.m. to reconvene May 13 at 2:00 p.m.

SIXTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 13, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Tom Watkins, Associate Pastor, White Memorial Presbyterian Church, Raleigh, North Carolina.

"Merciful God,
Who sits in judgment,
but Who has taken the sentence,
Who leads our world,
but Who came to serve;
we beseech You this morning
and ask Your blessing on those gathered here
to serve this State.

"Grant a spirit of wisdom and understanding
that they may serve faithfully.

"May those here who have power,
be strength for those who are powerless.

May those here who have resources,
serve those who have little.
May those here who have contacts
and strings to pull,
pull for those who are disconnected.
May those here who have voice,
speak, at last, for the voiceless.
May those here who are respected and loved,
care for those who no one loves.

"And may we remember
that You take no delight
in solemn assemblies,
and that You will not accept
token offerings of faithfulness,
but that You demand that
justice roll down like waters,
and righteousness
like an ever-flowing stream.

"In the words of Woodrow Wilson:
Purify hearts to see and love truth;
give wisdom to these representatives
and steadfastness to our people;
and bring us at last
to the fair city of peace,
whose foundations
are mercy, justice and goodwill,
and whose builder and maker You are.

"And in whose name we pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (110-0).

A leave of absence is granted Representative Daughtry for today.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 488, AN ACT TO AUTHORIZE AN INCREASE IN THE FEE CHARGED FOR RABIES TAGS.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 314, AN ACT ABOLISHING THE VACANT OFFICE OF CORONER IN ROBESON COUNTY.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 100, AN ACT TO PROVIDE FOR ELECTION OF MEMBERS OF THE HERTFORD COUNTY BOARD OF EDUCATION IN NOVEMBER OF EVEN-NUMBERED YEARS. (S.L. 1997-43)

H.B. 236, AN ACT TO INCORPORATE THE CITY OF TRINITY. (S.L. 1997-44)

H.B. 309, AN ACT TO ALLOW THE CITY OF CHARLOTTE TO ISSUE TICKETS FOR OVERTIME PARKING ON CITY STREETS. (S.L. 1997-45)

H.B. 531, AN ACT TO INCREASE THE SIZE OF THE PITT COUNTY ABC BOARD FROM THREE TO FIVE MEMBERS. (S.L. 1997-46)

H.B. 583, AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF KINGS MOUNTAIN LOCAL ALCOHOLIC BEVERAGE CONTROL BOARD. (S.L. 1997-47)

H.B. 636, AN ACT TO ALLOW THE TOWN OF MANTEO TO REGULATE CERTAIN ACTIVITIES IN WATERWAYS ADJACENT TO THE TOWN. (S.L. 1997-48)

H.B. 649, AN ACT ABOLISHING THE OFFICE OF CORONER IN CHEROKEE COUNTY. (S.L. 1997-49)

H.B. 851, AN ACT TO ESTABLISH A NO-WAKE ZONE FOR THE TOWN OF CAPE CARTERET AND AREAS WITHIN THE TOWN'S EXTRATERRITORIAL PLANNING JURISDICTION. (S.L. 1997-50)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

Senate Committee Substitute for **H.B. 81,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, with recommendation that the House do not concur; request conferees.

The bill is placed on the Calendar of May 14.

By Representative Hardy, Co-Chair, for the Committee on Judiciary I:

S.B. 152, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 14.

By Representative Ellis for the Committee on Local and Regional Government I:

S.B. 529, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF HOPE MILLS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 648, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 677, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ACT ESTABLISHING A SUPPLEMENTARY PENSION FUND FOR FIREMEN IN THE CITY OF ALBEMARLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 14.

S.B. 698, A BILL TO BE ENTITLED AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brown for the Committee on Agriculture:

H.B. 1193, A BILL TO BE ENTITLED AN ACT TO CREATE AN AGRICULTURAL FAIRS ADVISORY COMMITTEE IN THE DEPARTMENT OF AGRICULTURE AND TO APPROPRIATE FUNDS FOR LOCAL AGRICULTURAL FAIRS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

H.B. 816, A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF HOPE MILLS AND WEAVERVILLE;

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION;

S.B. 356, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS; and

S.B. 453, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 197,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR CONDUCTING JUDICIAL SALES OF TIMBER BY SEALED BID, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 14.

Committee Substitute for **S.B. 508,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TURKEY GROWER SHALL NOT BE DISQUALIFIED FROM USE VALUE TAXATION FOR A TWO-YEAR PERIOD IF THE GROWER'S LAND IS TAKEN OUT OF PRODUCTION SOLELY BECAUSE OF THE PRESENCE OF TURKEY DISEASE IN THE AREA, is read the first time and referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 613,** A BILL TO BE ENTITLED AN ACT TO AMEND PROVISIONS IN THE INSURANCE LAWS DEALING WITH EXAMINATIONS OF INSURANCE COMPANIES AND AUDITS OF THEIR FINANCIAL STATEMENTS, is read the first

time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 974, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EMPLOYMENT SECURITY COMMISSION TO WAIVE INTEREST ON LATE CONTRIBUTIONS, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 272,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT: Representative Arnold, Chair; Representatives Preston, Grady, Rogers, and Oldham.

The Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

On motion of Representative Neely, the bill is temporarily displaced.

S.B. 800, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE AUTHORITY TO EMPLOY AN EXECUTIVE SECRETARY FOR THE JUDICIAL STANDARDS COMMISSION FROM THE COMMISSION AS A WHOLE TO THE COMMISSION CHAIR, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Committee Substitute for **S.B. 265,** A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES ON SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTIONS IN THE UNIVERSITY OF NORTH CAROLINA SYSTEM TO CLARIFY THE ROLE OF THE OFFICE OF

THE STATE AUDITOR, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 143,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ANNUAL AUDITED REPORTS ARE TO BE SUBMITTED BY ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES.

On motion of Representative G. Wilson, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute for **H.B. 653,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 117.

Voting in the negative: None.

Excused absence: Representative Daughtry.

House Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT.

Representative Fitch offers Amendment No. 4 which is adopted by electronic vote (113-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: Representatives Berry and Shubert - 2.

Excused absence: Representative Daughtry.

Committee Substitute for **H.B. 1107,** A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE MEMBERSHIP OF FACILITY AUTHORITIES AND ROOM OCCUPANCY TAX ALLOCATIONS FOR CAPITAL IMPROVEMENTS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke,

McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: Representatives Berry and Davis - 2.

Excused absence: Representative Daughtry.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 305,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE LIMIT FOR AN ASSESSMENT WHEN THE ASSESSMENT IS PAID BY PEANUT PRODUCERS FOR THE PROMOTION OF PEANUTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 117.

Voting in the negative: None.

Excused absence: Representative Daughtry.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 430, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE.

Representative Baker offers Amendment No. 1 which is adopted by electronic vote (117-1).

The bill, as amended, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1073, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE TITLE APPLICATIONS AND FEES TO THE STATE.

On motion of Representative Cole and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 106,** A BILL TO BE ENTITLED AN ACT TO ALLOW REGIONAL SALES OF PERSONAL PROPERTY SEIZED FOR UNPAID TAXES TO BE HELD IN ANY COUNTY, passes its second reading by electronic vote (113-3).

Representative Ellis objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for **H.B. 989,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE FEE FOR THE SCHOOL ADMINISTRATORS' EXAM, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Hurley and without objection, Committee

Substitute No. 2 for **H.B. 939,** A BILL TO BE ENTITLED AN ACT TO EARMARK TEN PERCENT OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

On motion of Representative Morgan and without objection, **S.B. 247,** A BILL TO BE ENTITLED AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Insurance, Subcommittee on Health.

On motion of Representative Morgan, seconded by Representative Fitch, the House adjourns at 2:44 p.m. to reconvene May 14 at 2:00 p.m.

SIXTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 14, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Doug Jessee, Senior Minister, First United Methodist Church, Cary, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-0).

Leaves of absence are granted Representatives Alexander, Dickson, and Weatherly for today. Representatives Wood and Hiatt are excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

S.B. 876, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO CRIMINAL BACKGROUND CHECKS REQUIRED TO BE OBTAINED BY NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 1023,** A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS AND DUTIES OF THE DEPARTMENT OF HUMAN RESOURCES TO REQUIRE THE DEPARTMENT TO ACT ON REQUESTS FOR WAIVERS TO COMMISSION OF HEALTH SERVICES RULES AND TO REPORT TO THE GENERAL ASSEMBLY ON PROGRESS AND RECOMMENDATIONS TO IMPROVE THE PROCESS FOR THE GRANTING OR DENIAL OF APPLICATIONS FOR LICENSURE AND WAIVERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Hardy and Daughtry, Co-Chairs, for the Committee on Judiciary I:

S.B. 409, A BILL TO BE ENTITLED AN ACT TO PERMIT AIRPORT LAW ENFORCEMENT AGENCIES TO ENTER COOPERATION AGREEMENTS WITH OTHER LAW ENFORCEMENT AGENCIES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE SAFE REUSE OF PROPERTIES WHERE ACTUAL CONTAMINATION, OR THE POSSIBILITY OF CONTAMINATION, HAS IMPEDED REDEVELOPMENT AND TO CREATE THE BROWNFIELDS STUDY COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and

recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 157,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 452,** A BILL TO BE ENTITLED AN ACT TO CLARIFY LOCAL GOVERNMENT AUTHORITY TO REGULATE THE LOCATION AND OPERATION OF SEXUALLY ORIENTED BUSINESSES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Capps for the Permanent Subcommittee on Preschool, Elementary, and Secondary Education of the Standing Committee on Education, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 1225, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PICK UP AND DISCHARGE PUPILS AT PLACES DESIGNATED BY PARENTS AND

TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR THE IMPLEMENTATION OF THIS ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 15. The original bill is placed on the Unfavorable Calendar.

By Representatives Shubert and Russell, Co-Chairs, for the Committee on Education:

H.B. 979, A BILL TO BE ENTITLED AN ACT TO LINK PAY RAISES FOR SUBSTITUTE TEACHERS TO PAY RAISES FOR TEACHERS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 1154, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF SAFE SCHOOL PLANS AND TO HOLD PRINCIPALS ACCOUNTABLE FOR THE SAFETY OF SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANTIQUE AIRPLANES SHALL BE VALUED AT NO MORE THAN FIVE THOUSAND DOLLARS FOR PROPERTY TAX PURPOSES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 15. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 34,** A BILL TO BE ENTITLED AN ACT TO ADJUST THE SHARE THE CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX TO MAKE THE DISTRIBUTION MORE EQUITABLE AND TO ALLOW THE DEPARTMENT OF REVENUE TO GIVE CITY FINANCE OFFICIALS INFORMATION NEEDED TO VERIFY THE ACCURACY OF A CITY'S DISTRIBUTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 167, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 266,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PRODUCTION AND SALE OF RED DEER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 323,** A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX CREDIT FOR EXPENDITURES TO REHABILITATE HISTORIC STRUCTURES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative McComas for the Permanent Subcommittee on Health of the Standing Committee on Insurance, with approval of standing committee chair for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 247,** A BILL TO BE ENTITLED AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of May 15. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 804, A BILL TO BE ENTITLED AN ACT TO GIVE LINCOLN COUNTY AUTHORITY TO BUILD AND IMPROVE ROADS WITHIN LINCOLN COUNTY THAT ARE NOT PART OF THE STATE HIGHWAY SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 15.

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "NATIVE AMERICAN" REGISTRATION PLATE WITH THE NET PROCEEDS FROM THE SALE OF THE PLATES TO BE TRANSFERRED TO THE NORTH CAROLINA COMMISSION ON INDIAN AFFAIRS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE THE "MARCH OF DIMES" TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO MARCH OF DIMES BIRTH DEFECTS FOUNDATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer **S.B. 529,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF HOPE MILLS, to the Permanent Subcommittee on Local, Regional, and State Revenues.

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers:

Committee Substitute for **H.B. 769,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES, to the Permanent Subcommittee on Education.

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IMPLEMENT RIGOROUS AND FOCUSED CONTENT STANDARDS IN READING, WRITING, MATH, SCIENCE, AND SOCIAL STUDIES, AND TO MAKE AN APPROPRIATION, to the Permanent Subcommittee on Education.

H.B. 1212, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A PILOT PROGRAM FOR CERTIFIED NETWORK ADMINISTRATION (CNA) TRAINING IN NORTH CAROLINA PUBLIC SCHOOLS AND DEVELOP A PROPOSAL FOR THE INTERACTIVE VISUAL TECHNOLOGIES CENTER, to the Permanent Subcommittee on Education.

Committee Substitute for **H.B. 939,** A BILL TO BE ENTITLED AN ACT TO EARMARK TEN PERCENT OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS, to the Permanent Subcommittee on Justice and Public Safety.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Neely and Luebke:

H.B. 1228, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE REVIEW OF TAX CREDIT INCENTIVES BY SUNSETTING THE CREDITS, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 122,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL

POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS, is returned for concurrence in Senate committee substitute, and placed on the Calendar of May 15.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 336,** A BILL TO BE ENTITLED AN ACT TO ALLOW TWO MEMBERS OF THE VICTIM'S FAMILY TO BE PRESENT AT AN EXECUTION, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 15.

Committee Substitute for **S.B. 124,** A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHITE GOODS DISPOSAL TAX RATE TO ONE RATE FOR ANY WHITE GOOD REGARDLESS OF WHETHER THE WHITE GOOD CONTAINS CHLOROFLUOROCARBONS, TO EXTEND THE WHITE GOODS DISPOSAL TAX SUNSET, TO PROVIDE THAT WHITE GOODS TAX REVENUE THAT IS NOT NEEDED FOR THE MANAGEMENT OF DISCARDED WHITE GOODS MAY BE USED TO CLEAN UP ILLEGAL DUMP SITES, AND TO ALTER THE DISTRIBUTION OF THE TAX PROCEEDS FROM THIS TAX, is read the first time and referred to the Committee on Finance.

S.B. 339, A BILL TO BE ENTITLED AN ACT TO INCREASE THE JOBS TAX CREDIT FOR TIER ONE COUNTIES, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

S.B. 921, A BILL TO BE ENTITLED AN ACT TO EXEMPT CONTINUING CARE FACILITIES THAT PROVIDE HUMANE AND PHILANTHROPIC CARE TO THE ELDERLY FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, is read the first time and referred to the Committee on Finance.

S.B. 942, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AGE OF HONORARY BARBER LICENSEES FROM SEVENTY TO EIGHTY YEARS OF AGE, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

On motion of Representative Morgan and without objection, Rule 5(10) is suspended and **H.J.R. 664,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF RUSSELL ATKINSON SWINDELL, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

RE-REFERRAL

On motion of Representative Brown and without objection, **H.B. 1151,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE EASTERN NORTH CAROLINA LIVESTOCK ARENA, is withdrawn from the Committee on Agriculture and re-referred to the Committee on Appropriations.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 81,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE.

On motion of Representative Clary, the House does not concur in the Senate committee substitute by electronic vote (107-2).

The Speaker appoints Representatives Clary, Gardner, G. Wilson, and Nesbitt as conferees on the part of the House and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 197,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR CONDUCTING JUDICIAL SALES OF TIMBER BY SEALED BID, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

On motion of Representative Neely, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Alexander, Dickson, Hiatt, Weatherly, and Wood - 5.

Committee Substitute for **H.B. 653,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Crawford, Culp, Culpepper,

Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Alexander, Dickson, Hiatt, Weatherly, and Wood - 5.

S.B. 677, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ACT ESTABLISHING A SUPPLEMENTARY PENSION FUND FOR FIREMEN IN THE CITY OF ALBEMARLE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 305,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE LIMIT FOR AN ASSESSMENT WHEN THE ASSESSMENT IS PAID BY PEANUT PRODUCERS FOR THE PROMOTION OF PEANUTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner,

Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Alexander, Dickson, Hiatt, Weatherly, and Wood - 5.

House Committee Substitute for **S.B. 106,** A BILL TO BE ENTITLED AN ACT TO ALLOW REGIONAL SALES OF PERSONAL PROPERTY SEIZED FOR UNPAID TAXES TO BE HELD IN ANY COUNTY, passes its third reading, by electronic vote (95-13), and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 172,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF HUNTING LICENSES FOR CERTAIN DISABLED HUNTERS WHO HAVE NOT COMPLIED WITH THE HUNTING SAFETY COURSE REQUIREMENT, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 891,** A BILL TO BE ENTITLED AN ACT TO UPDATE AND REVISE THE LAWS AFFECTING LOCAL GOVERNMENT CONTRACTING, passes its second reading, by electronic vote (103-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 265, AN ACT TO AMEND THE STATUTES ON SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTIONS IN THE UNIVERSITY

OF NORTH CAROLINA SYSTEM TO CLARIFY THE ROLE OF THE OFFICE OF THE STATE AUDITOR.

S.B. 800, AN ACT TO TRANSFER THE AUTHORITY TO EMPLOY AN EXECUTIVE SECRETARY FOR THE JUDICIAL STANDARDS COMMISSION FROM THE COMMISSION AS A WHOLE TO THE COMMISSION CHAIR.

H.B. 61, AN ACT TO REPEAL OBSOLETE SECTIONS OF CHAPTER 106 OF THE NORTH CAROLINA GENERAL STATUTES.

H.B. 143, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ANNUAL COST REPORTING REQUIREMENTS OF ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES AND TO CHANGE THE DEPARTMENT'S ENFORCEMENT PROVISIONS.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 314, AN ACT ABOLISHING THE VACANT OFFICE OF CORONER IN ROBESON COUNTY. (S.L. 1997-51)

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Daughtry and without objection, House Committee Substitute for **S.B. 625,** A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN EXCESS OF THE POSTED SPEED ON SCHOOL GROUNDS AN INFRACTION, is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

CALENDAR (continued)

S.B. 152, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading by electronic vote (100-10).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

RE-REFERRALS

On motion of Representative Daughtry and without objection, **S.B. 371,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR CONCILIATION OF DISPUTES, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II.

On motion of Representative Russell, **H.B. 252,** A BILL TO BE ENTITLED AN ACT TO FUND THE DEVELOPMENT OF A HUMAN USE MAP AND A USER COORDINATION PLAN FOR CORE SOUND, is withdrawn from the Committee on Appropriations, Subcommittee on Capital and Budget, and re-referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

On motion of Representative Russell, **H.B. 254,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE OYSTER REHABILITATION PROGRAM TO THE SHELLFISH REHABILITATION PROGRAM AND TO PROVIDE OVERSIGHT OF THE USE OF SHELLFISH REHABILITATION PROGRAM FUNDS, is withdrawn from the Committee on Appropriations, Subcommittee on Capital and Budget, and re-referred to the Committee on Appropriations, Subcommittee on Natural and Economic Resources.

On motion of Representative Morgan, seconded by Representative Miller, the House adjourns at 3:20 p.m. to reconvene May 15 at 1:00 p.m.

SIXTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, May 15, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Angela Cook, Raleigh, North Carolina.

"Eternal and ever living God,
We pause to give You thanks for the many
blessings that You have bestowed upon us.

"As custodians of Your vast and awesome creation,
we are humbled by the power and authority
that You have given us as Your children and people.

"We praise You for Your mercies,
for Your goodness that has created us;
Your grace that has sustained us;
Your discipline that has corrected us;
Your patience that has borne with us;
and Your love that has redeemed us.

"Help us to love You, and to be thankful
for all of Your gifts and blessing,
by serving You in all of life and
delighting to do Your will.

"God of compassion, look upon us with loving kindness.
There are many differences between Your people.
Help each one of us to bridge those gaps
and to be more open and understanding
with those whom we disagree.

"Be with these faithful servants,
who work diligently to lead our state
and its people into the future.
Help them to open their eyes and be led by Your guidance.
Give them power and strength and stamina to be the leaders
You would have them to be.

"It is in Your name that we pray all these things. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-0).

Leaves of absence are granted Representatives Aldridge, Blue, Dickson, Gamble, Hall, Hiatt, Mosley, Oldham, and Weatherly for today.

Representatives Esposito and Miller are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 945, AN ACT TO REQUIRE THE PRESCRIBER'S AND THE PATIENT'S CONSENT FOR INTERCHANGE OF A LIMITED CLASS OF DRUGS.

H.B. 36, AN ACT TO RELIEVE CONSUMERS OF THE REQUIREMENT OF FILING MONTHLY USE TAX RETURNS.

H.B. 147, AN ACT TO CREATE THE FELONY OFFENSE OF DOG FIGHTING AND BAITING.

H.B. 174, AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO PERMIT AN ACTIVE SENTENCE TO BE IMPOSED FOR A CRIMINAL CONVICTION IF THE DEFENDANT SERVED TIME AWAITING TRIAL.

H.B. 175, AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO MAKE CERTAIN TECHNICAL, CLARIFYING, AND CONFORMING AMENDMENTS TO STRUCTURED SENTENCING.

H.B. 191, AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE.

H.B. 192, AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION.

H.B. 197, AN ACT TO ESTABLISH A PROCEDURE FOR CONDUCTING JUDICIAL SALES OF TIMBER BY SEALED BID, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H.B. 935, AN ACT TO RECOGNIZE LLAMAS AS LIVESTOCK ANIMALS.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 677, AN ACT TO REPEAL THE ACT ESTABLISHING A SUPPLEMENTARY PENSION FUND FOR FIREMEN IN THE CITY OF ALBEMARLE.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Reynolds for the Committee on Technology:

H.B. 970, A BILL TO BE ENTITLED AN ACT TO PROVIDE A POSITIVE ENVIRONMENT FOR ECONOMIC DEVELOPMENT BY DECLARING A MORATORIUM ON TAXATION OF INTERNET SERVICES FOR AT LEAST TWO MORE YEARS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **H.B. 1097,** A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Finance.

Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO STIMULATE SUBSTANTIAL GROWTH OF VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA THROUGH INVESTMENTS BY THE STATE TREASURER, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LUMBERTON ECONOMIC DEVELOPMENT AND TOURIST DISTRICT AND TO AUTHORIZE THE ISSUANCE OF CERTAIN ABC PERMITS IN THIS TYPE OF DISTRICT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 301,** A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 408, A BILL TO BE ENTITLED AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, AND TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 19. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 305, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE OPTION THAT A LICENSED SOLICITOR OF CHARITABLE SOLICITATIONS MAY SUBMIT A CERTIFICATE OF DEPOSIT IN LIEU OF A SECURITY BOND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers:

Committee Substitute for **H.B. 502,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE IN THE DEALERS AND MANUFACTURERS LICENSING LAW TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES, to the Permanent Subcommittee on Transportation.

Committee Substitute for **H.B. 920,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA POSTAL HISTORY COMMISSION, to the Permanent Subcommittee on General Government.

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO CREATE THE LOW PRESSURE PIPE NETWORK REPLACEMENT EMERGENCY FUND, to the Permanent Subcommittee on Natural and Economic Resources.

H.B. 848, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR THE CONSTRUCTION OF A JUVENILE DETENTION CENTER IN GUILFORD COUNTY, to the Permanent Subcommittee on Capital and Budget.

H.B. 1151, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE EASTERN NORTH CAROLINA LIVESTOCK ARENA, to the Permanent Subcommittee on Capital and Budget.

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "NATIVE AMERICAN" REGISTRATION PLATE WITH THE NET PROCEEDS FROM THE SALE OF THE PLATES TO BE TRANSFERRED TO THE NORTH CAROLINA COMMISSION ON INDIAN AFFAIRS;

Committee Substitute for **H.B. 1137,** A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE SOIL AND WATER CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION; and

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE THE "MARCH OF DIMES" TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO MARCH OF DIMES BIRTH DEFECTS FOUNDATION.

Representative Miner, Senior Ranking Member and Co-Chair, for the Standing Committee on Commerce, refers **H.B. 1173,** A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX CREDITS FOR CONSTRUCTION EMPLOYERS WHO PROVIDE CRAFTWORKER TRAINING TO EMPLOYEES AND WHO HIRE WELFARE RECIPIENTS, to the Permanent Subcommittee on Business and Labor.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Culpepper and Culp:

H.B. 1229, A BILL TO BE ENTITLED AN ACT TO ALLOW A PERSON WHO SUFFERS FROM LUPUS TO HAVE A DARKER VEHICLE WINDOW THAN IS ALLOWED UNDER THE WINDOW TINTING LAWS, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 253,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Judiciary II.

Committee Substitute for **S.B. 1064,** A BILL TO BE ENTITLED AN ACT TO ALLOW A TAXPAYER WHO PREVAILS IN A PROPERTY TAX APPEAL TO RECEIVE INTEREST ON ANY OVERPAYMENT OF TAX AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS PROPERTY TAX ISSUES, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 57,** A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NONRESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES.

On motion of Representative Neely, the House concurs in the material Senate committee substitute, which changes the title on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Blue, Dickson, Gamble, Hall, Hiatt, Miller, Mosley, Oldham, and Weatherly - 10.

Senate Committee Substitute for **H.B. 122,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS.

On motion of Representative Kiser, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (106-0), and the bill is ordered enrolled and presented to the Governor.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Capps, Committee Substitute for **H.B. 1225,** A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PICK UP AND DISCHARGE PUPILS AT PLACES DESIGNATED BY PARENTS AND TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR THE IMPLEMENTATION OF THIS ACT, is withdrawn from the Calendar and re-referred to the Committee on Education, Subcommittee on Preschool, Elementary, and Secondary Education.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 336,** A BILL TO BE ENTITLED AN ACT TO ALLOW TWO MEMBERS OF THE VICTIM'S FAMILY TO BE PRESENT AT AN EXECUTION.

On motion of Representative Eddins, the House concurs in the Senate committee substitute, by electronic vote (104-0), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute for **H.B. 804,** A BILL TO BE ENTITLED AN ACT TO GIVE LINCOLN COUNTY AUTHORITY TO BUILD AND IMPROVE ROADS WITHIN LINCOLN COUNTY THAT ARE NOT PART OF THE STATE HIGHWAY SYSTEM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allred, Arnold, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representative Baker.

Excused absences: Representatives Aldridge, Blue, Dickson, Esposito, Gamble, Hall, Hiatt, Miller, Mosley, Oldham, and Weatherly - 11.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 847,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN WATER AND SEWER AUTHORITIES TO ENTER INTO CERTAIN AGREEMENTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hardy, Hensley, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Blue, Dickson, Esposito, Gamble, Hall, Hiatt, Miller, Mosley, Oldham, and Weatherly - 11.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Daughtry and without objection, **S.B. 152,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

CALENDAR (continued)

Committee Substitute for **H.B. 1158,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANTIQUE AIRPLANES SHALL BE VALUED AT NO MORE THAN FIVE THOUSAND DOLLARS FOR PROPERTY TAX PURPOSES, passes its second reading, by electronic vote (100-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 247,** A BILL TO BE ENTITLED AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Dockham for the Committee on Insurance:

Committee Substitute for **S.B. 714,** A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES,

HOSPITAL OR MEDICAL SERVICE PLANS, HMO PLANS, AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, TO PROVIDE COVERAGE FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM MASTECTOMY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Sherrill, the House adjourns at 1:33 p.m. to reconvene Monday, May 19, 1997, at 7:00 p.m.

SIXTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, May 19, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Capps.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 15 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-0).

Leaves of absence are granted Representatives Alexander, Berry, Ellis, and McCombs for today. Representative R. Hunter is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

H.B. 57, AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NON-

RESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, TO MODIFY THE DEFINITION OF EMPLOYMENT WITH RESPECT TO AGRICULTURAL LABOR, AND TO CONFORM TO FEDERAL RULES ON WAGE WITHHOLDING BY FARMERS.

H.B. 122, AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE AND THE CHIEF OF THE GENERAL ASSEMBLY POLICE TO PROVIDE FOR THE EVACUATION OF STATE AND LEGISLATIVE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS.

H.B. 153, AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE".

H.B. 204, AN ACT TO RAISE THE FORECLOSURE FILING FEES.

H.B. 336, AN ACT TO ALLOW TWO MEMBERS OF THE VICTIM'S FAMILY TO BE PRESENT AT AN EXECUTION.

H.B. 771, AN ACT TO ALLOW THE BOARD OF A SANITARY DISTRICT WITH FOUR-YEAR TERMS THAT ARE NOT STAGGERED TO PROVIDE FOR STAGGERED TERMS.

H.B. 1098, AN ACT TO AMEND THE PROCEDURE FOR MEDIATION OF SPECIAL EDUCATION DISPUTES.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 516, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN COLUMBUS COUNTY.

H.B. 532, AN ACT TO DELETE CERTAIN OBSOLETE PROVISIONS AND MAKE CERTAIN TECHNICAL AMENDMENTS IN THE CHARTER OF THE CITY OF HENDERSON AND TO AUTHORIZE ENTRY INTO AGREEMENTS.

H.B. 559, AN ACT TO PROVIDE THAT THE TOWN OF SUNSET BEACH MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING.

H.B. 791, AN ACT AUTHORIZING THE DURHAM PUBLIC SCHOOLS TO DISPOSE OF CERTAIN REAL PROPERTY.

H.B. 792, AN ACT REPEALING SECTION 116 OF THE CHARTER OF THE CITY OF DURHAM CONCERNING THE INSPECTION OF CITY RECORDS IN THE PRESENCE OF THE CITY MANAGER AND THE CITY CLERK.

H.B. 845, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN GASTON COUNTY.

CHAPTERED BILLS

The following bills and resolutions are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1152, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES. (RESOLUTION 10)

H.J.R. 1054, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION. (RESOLUTION 11)

S.B. 677, AN ACT TO REPEAL THE ACT ESTABLISHING A SUPPLEMENTARY PENSION FUND FOR FIREMEN IN THE CITY OF ALBEMARLE. (S.L. 1997-52)

S.B. 151, AN ACT TO CLARIFY THE DUTY OF AN OWNER, OPERATOR, OR OTHER RESPONSIBLE PARTY OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE TO NOTIFY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OF THE EXISTENCE OF THE SITE, TO REQUIRE OWNERS, OPERATORS, AND OTHER RESPONSIBLE PARTIES TO FURNISH INFORMATION REGARDING THE SITE, AND TO SIMPLIFY THE INACTIVE HAZARDOUS SUBSTANCE OR WASTE

DISPOSAL SITE INVENTORY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-53)

H.B. 1033, AN ACT TO GIVE OUT-OF-STATE BANKS TWO MORE YEARS TO ESTABLISH AND MAINTAIN A DE NOVO BRANCH OR A BRANCH THROUGH ACQUISITION PURSUANT TO CERTAIN CONDITIONS. (S.L. 1997-54)

H.B. 59, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS. (S.L. 1997-55)

H.B. 954, AN ACT TO AMEND EXISTING LAW PERTAINING TO SESSIONS OF THE SUPREME COURT. (S.L. 1997-56)

S.B. 16, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MODIFY STATUTORY LANGUAGE DEFINING CERTAIN INTERMEDIATE PUNISHMENTS, TO CHANGE THE JUDICIAL AUTHORITY TO DELEGATE RESPONSIBILITIES TO PROBATION OFFICERS AND TO MODIFY THOSE DELEGATED RESPONSIBILITIES, TO MODIFY THE TARGET POPULATION FOR COMMUNITY PENALTIES, AND TO IDENTIFY THE POPULATION INELIGIBLE FOR COMMUNITY SERVICE. (S.L. 1997-57)

H.B. 203, AN ACT TO SUPPLEMENT CLARK'S CALENDAR, WHICH MAY BE INTRODUCED IN EVIDENCE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 1997-58)

S.B. 428, AN ACT TO CREATE THE BUTNER PLANNING COUNCIL. (S.L. 1997-59)

S.B. 98, AN ACT TO IMPROVE THE ADMINISTRATION OF THE MOTOR FUEL TAX LAWS. (S.L. 1997-60)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 1227, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GORDON HICKS GREENWOOD, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 370,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR THE ENFORCEMENT OF ARBITRATION AWARDS PURSUANT TO THE ACT ENTERED OUTSIDE NORTH CAROLINA AND TO GIVE A PARTY THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT A PROCEEDING PURSUANT TO THE ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 371,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR CONCILIATION OF DISPUTES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

S.B. 914, A BILL TO BE ENTITLED AN ACT TO REVISE THE REIMBURSEMENT METHODOLOGY FOR HOSPITAL CHARGES UNDER WORKERS' COMPENSATION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Dockham, Chair for the Standing Committee on Insurance, refers the following bills to the Permanent Subcommittee on Health.

Committee Substitute for **S.B. 400,** A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE FOR MENTAL ILLNESS;

S.B. 785, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON CERTAIN DIRECT PAYMENTS UNDER HEALTH INSURANCE POLICIES AND PLANS;

S.B. 1016, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF CERTIFIED SUBSTANCE ABUSE PROFESSIONALS UNDER HEALTH INSURANCE POLICIES AND PLANS;

Committee Substitute for **S.B. 455,** A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, AND REDUCING THE APPROVAL PERIOD FOR RATE FILINGS; and

Committee Substitute for **S.B. 254,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH INSURANCE AND EMPLOYMENT BASED ON GENETIC INFORMATION.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Luebke, Adams, Bonner, Boyd-McIntyre, Braswell, Cunningham, Earle, Easterling, Fitch, Goodwin, Hardaway, Hensley, H. Hunter, Insko, Jarrell, Kinney, Michaux, Miller, Mosley, Saunders, Sutton, Womble, Wright, and Yongue:

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO STUDY AND SUNSET CERTAIN CORPORATE AND OTHER TAX BREAKS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Miner, McMahan, and H. Hunter (Co-Sponsors); Black, Bowie, Cunningham, Earle, Easterling, Gulley, Hackney, Hardy, Hensley, Hurley, Insko, McComas, Michaux, Mosley, Rayfield, Russell, and Saunders:

H.B. 1231, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING, is referred to the Committee on Finance.

By Representatives Sutton, Bonner, and Yongue:

H.J.R. 1232, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ADOLPH LORENZ DIAL, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Shubert:

H.B. 1233, A BILL TO BE ENTITLED AN ACT TO ENACT AN OPTIONAL SIMPLIFIED INCOME TAX FOR INDIVIDUALS WHO PREFER TO AVOID THE BURDEN AND EXPENSE OF CALCULATING STATE INCOME TAXES, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 603,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is returned for concurrence in Senate committee substitute.

The Senate committee substitute is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 711,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, is read the first time and referred to the Committee on Ways and Means and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 861,** A BILL TO BE ENTITLED AN ACT AMENDING THE DISPENSING OPTICIANS ACT, is read the first

time and referred to the Committee on Judiciary I and, if favorable, to the Committee on Finance.

S.J.R. 1078, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF RICHARD CONDER AND ROBERT V. OWENS, JR. MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 847,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN WATER AND SEWER AUTHORITIES TO ENTER INTO CERTAIN AGREEMENTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Alexander, Berry, Ellis, R. Hunter, and McCombs - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 167, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN

OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Alexander, Berry, Ellis, and McCombs - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 266,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PRODUCTION AND SALE OF RED DEER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris,

Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Alexander, Berry, Ellis, and McCombs - 4.

Committee Substitute for **H.B. 408,** A BILL TO BE ENTITLED AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, AND TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD.

Representative Hightower requests that he be excused from voting on this bill, under Rule 24.1A, because of a possible conflict of interest, and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 110.

Voting in the negative: Representative Decker.

Excused vote: Representative Hightower.

Excused absences: Representatives Alexander, Berry, Ellis, and McCombs - 4.

H.J.R. 1153, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE TOWN OF FRANKLINVILLE AND HONORING THE MEMORY OF JESSE FRANKLIN, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Committee Substitute for **S.B. 34,** A BILL TO BE ENTITLED AN ACT TO ADJUST THE SHARE THE CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX TO MAKE THE DISTRIBUTION MORE EQUITABLE AND TO ALLOW THE DEPARTMENT OF REVENUE TO GIVE CITY FINANCE OFFICIALS INFORMATION NEEDED TO VERIFY THE ACCURACY OF A CITY'S DISTRIBUTION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

INTRODUCTION OF PAGES

Pages for the week of May 19 are introduced to the membership. They are: Sara Austin Bailey of Rowan; Cortney Paige Brown of Surry; Lauren Bugay of Granville; William Dustin Carmichael of Cabarrus; Jamie Thomas Caviness of Carteret; Avik Chatterjee of Wake; Matthew Anson Corn of Cherokee; Grover Lewis Edwards, Jr., of Northampton; Aaron Warner George of Wake; Christopher Herbert Giles of Wake; Benjamin Matthew Hall of Harnett; Corrie Ann Haswell of Wake; Lindsey Kathleen Holland of Onslow; Christopher W. Hutton of Onslow; Katherine Leffler of Wake; Joshua Peter Lingenfelser of Johnston; William Brooks Long of Wake; Jessica Nicholson of Franklin; Hannah Hester Porter of Buncombe; Che-Von N. Rodwell of Franklin; David Patrick Shoemaker of Cabarrus; Joel Wesley Sills of Harnett; and Anna M. Sullivan of Johnston.

On motion of Representative Morgan, seconded by Representative Culp, the House adjourns at 7:30 p.m. to reconvene May 20 at 2:00 p.m.

SIXTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 20, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend J. Marshall Neathery, Pastor, Rolesville Baptist Church, Rolesville, North Carolina.

"Our dear Heavenly Father, Holy God of our creation and salvation, thank Thee for this good day of living. May all the people praise Thee, from the dwelling house to the courthouse, and from the State House to the White House of our land.

"May we give thanks for Thy goodness and mercy, and for Thy grace that is sufficient in all of life's endeavors and circumstances.

"Bless, I pray Thee, our great and 'goodliest land' called North Carolina. Watch over this State and our Nation with Thy providential care. Guide our Governor, state officials, and members of this great Body as they serve Thee and all of our citizens, from Manteo to Murphy and from Henderson to Rockingham.

"Help all of us to be true of heart and character, so that we may supremely and perfectly honor the calling Thou has made to us--to be Thy people forever.

"Be with the Honorable Speaker of this House today and each distinguished member. Bless this session with Thy Presence and Wisdom. Grant that the business at hand shall be carried out in a manner and to a conclusion pleasing unto Thee and for the good of the people of North Carolina.

"For it is in the Name of the One, True, Holy God--Father, Son, and Holy Spirit--that I offer this prayer. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-0).

A leave of absence is granted Representative McCombs for today. Representatives Fitch and Watson are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 34, AN ACT TO ADJUST THE SHARE THE CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX TO MAKE THE DISTRIBUTION MORE EQUITABLE AND TO ALLOW THE DEPARTMENT OF REVENUE TO GIVE CITY FINANCE OFFICIALS INFORMATION NEEDED TO VERIFY THE ACCURACY OF A CITY'S DISTRIBUTION.

H.B. 522, AN ACT TO AMEND THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 391, AN ACT TO ALLOW ALL RETIRED HIGH POINT FIREMEN TO RECEIVE PENSION BENEFITS.

CHAPTERED BILLS

The following bills and resolutions are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 664, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF RUSSELL ATKINSON SWINDELL, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 12)

H.B. 516, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN COLUMBUS COUNTY. (S.L. 1997-61)

H.B. 532, AN ACT TO DELETE CERTAIN OBSOLETE PROVISIONS AND MAKE CERTAIN TECHNICAL AMENDMENTS IN THE CHARTER OF THE CITY OF HENDERSON AND TO AUTHORIZE ENTRY INTO AGREEMENTS. (S.L. 1997-62)

H.B. 559, AN ACT TO PROVIDE THAT THE TOWN OF SUNSET BEACH MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING. (S.L. 1997-63)

H.B. 791, AN ACT AUTHORIZING THE DURHAM PUBLIC SCHOOLS TO DISPOSE OF CERTAIN REAL PROPERTY. (S.L. 1997-64)

H.B. 792, AN ACT REPEALING SECTION 116 OF THE CHARTER OF THE CITY OF DURHAM CONCERNING THE INSPECTION OF CITY RECORDS IN THE PRESENCE OF THE CITY MANAGER AND THE CITY CLERK (S.L. 1997-65)

H.B. 845, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN GASTON COUNTY. (S.L. 1997-66)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

S.B. 626, A BILL TO BE ENTITLED AN ACT TO ESTABLISH IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES THE OFFICE OF WOMEN'S HEALTH, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 21.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Senate Committee Substitute for **H.B. 202,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE,

AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with recommendation that the House concur.

The bill is placed on the Calendar of May 21.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 153,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE FOR FIVE MORE YEARS, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer **H.B. 614,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SWIFT CREEK, to the Permanent Subcommittee on Local, Regional, and State Revenues.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Howard and Gardner:

H.J.R. 1234, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BRADFORD VERDIZE LIGON, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **H.B. 1107,** A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE MEMBERSHIP OF FACILITY AUTHORITIES AND ROOM OCCUPANCY TAX ALLOCATIONS FOR CAPITAL IMPROVEMENTS, is returned for concurrence in two Senate amendments.

On motion of Representative Neely and without objection, Rule 43.2 is suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Neely, the House concurs in perfecting Senate Amendment No. 2 by electronic vote (111-0).

On motion of Representative Neely, the House concurs in Senate Amendment No. 1, by electronic vote (109-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

CALENDAR

Action is taken on the following:

S.B. 167, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absence: Representative McCombs.

Committee Substitute for **S.B. 266,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PRODUCTION AND SALE OF RED DEER.

Representative Arnold offers Amendment No. 1 which is adopted by electronic vote (112-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: Representative Mosley.

Excused absence: Representative McCombs.

Committee Substitute for **H.B. 408,** A BILL TO BE ENTITLED AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, AND TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD.

Pursuant to Rule 24.1A(c), the request that Representative Hightower be excused from voting on May 19 is continued.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Decker.

Excused vote: Representative Hightower.

Excused absence: Representative McCombs.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 1,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO PROVIDE FOR A TWO DOLLAR CHECKOFF FOR THE POLITICAL PARTIES FINANCING FUND AND TO CHANGE THE METHOD FOR

DISTRIBUTING MONEY FROM THAT FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES, ELECTIONS, PARTIES, AND ISSUES; AND TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS.

Representative C. Wilson offers Amendment No. 1 which is adopted by electronic vote (113-0).

Representative McComas moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title. The motion fails of a two-thirds majority by electronic vote (57-57).

Representative Baddour offers an amendment. The Speaker rules the amendment is not germane to the title. Representative Baddour withdraws the amendment.

Representative Baddour moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title. The motion fails of a twc-thirds majority by electronic vote (60-54).

Representative Allred offers Amendment No. 2 which is adopted by electronic vote (98-13).

Representative Wood offers an amendment. The Speaker rules the amendment is not germane to the title. Representative Wood withdraws the amendment.

Representative Wood moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title. The motion fails of a two-thirds majority by electronic vote (61-52).

Representative Redwine moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Ways and Means.

Representative Redwine calls the previous question on the motion and the call is sustained by electronic vote (74-38).

The motion to re-refer carries by electronic vote (65-49).

The bill is ordered engrossed and re-referred to the Committee on Ways and Means.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 876, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO CRIMINAL BACKGROUND CHECKS REQUIRED TO BE OBTAINED BY NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 1107, AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE MEMBERSHIP OF FACILITY AUTHORITIES AND ROOM OCCUPANCY TAX ALLOCATIONS FOR CAPITAL IMPROVEMENTS.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 323,** A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX CREDIT FOR EXPENDITURES TO REHABILITATE HISTORIC STRUCTURES.

Representative Hackney requests that he be excused from voting on this bill under Rule 24.1A, because of a potential conflict of interest, and this request is granted.

The bill passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 305, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE OPTION THAT A LICENSED SOLICITOR OF CHARITABLE SOLICITATIONS MAY SUBMIT A CERTIFICATE OF DEPOSIT IN

LIEU OF A SECURITY BOND, passes its second reading, by eiectronic vote (104-1), and there being no objection is read a third time.

Representative Wainwright states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (105-1).

The bill passes its third reading and is ordered enrolled and presented to the Governor.

RE-REFERRALS

On motion of Representative Gray and without objection, **S.B. 447,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LUMBERTON ECONOMIC DEVELOPMENT AND TOURIST DISTRICT AND TO AUTHORIZE THE ISSUANCE OF CERTAIN ABC PERMITS IN THIS TYPE OF DISTRICT, is withdrawn from the Committee on Finance and re-referred to the Committee on Commerce.

On motion of Representative Miner and without objection, **H.B. 1057,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES, is withdrawn from the Committee on Commerce and re-referred to the Committee on Finance.

On motion of Representative Morgan and without objection, **H.B. 807,** A BILL TO BE ENTITLED AN ACT TO ALLOW ONSLOW COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARDS OF EDUCATION, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Appropriations, Subcommittee on Education.

On motion of Representative Morgan, seconded by Representative Ramsey, the House adjourns at 3:57 p.m. to reconvene May 21 at 2:00 p.m.

SIXTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 21, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, Raleigh, North Carolina.

"O God, Creator of heaven and earth.

"We give You thanks for all of the hope that this day brings. We seek the awareness of Your Presence and Power as this day unfolds into its various activities and relationships. Our aim is to live as authentically as we can with You, with others, and with ourselves.

"We give You thanks for the opportunities today offers us; thanks for the persons with whom we are yoked; thanks for the vocation and location in which we are set; and thanks for the rich internal rewards that we receive as we honor others with our service.

"It is, indeed, our purpose, O God, to serve rather than to design structures, activities, and relationships which will bolster our own egos, pocketbooks, or status. We need Your forgiving and cleansing presence for our sin, as well as Your sustaining grace not to yield to the temptations of these vices of human nature. Grant that we may experience the freedom of Your Spirit among us as we seek to do good among Your people.

"We offer to You now, our thoughts, our energies, our words, and our actions, so that when this day closes, we may sleep in peace with the freedom of a good conscience and the satisfaction of having lived as authentically as we could have lived within Your will. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (107-0).

Representative Neely states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (108-0).

Leaves of absence are granted Representatives Alexander, Kinney and McCombs for today. Representatives Blue and Russell are excused for a portion of the session.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 391, AN ACT TO ALLOW ALL RETIRED HIGH POINT FIREMEN TO RECEIVE PENSION BENEFITS. (S.L. 1997-67)

H.B. 1107, AN ACT TO AMEND THE FACILITY AUTHORITY ACT RELATING TO THE MEMBERSHIP OF FACILITY AUTHORITIES AND ROOM OCCUPANCY TAX ALLOCATIONS FOR CAPITAL IMPROVEMENTS. (S.L. 1997-68)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

Representative Rayfield submits a report from the Committee on Education, Subcommittee on Community Colleges.

The Speaker states that the election of members to the State Board of Community Colleges will be held at the end of today's Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 537, A BILL TO BE ENTITLED AN ACT TO PROVIDE RELIEF FOR FEDERAL RETIREES AND THE SURVIVING SPOUSES OF FEDERAL RETIREES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 22.

H.B. 1157, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTES OF LIMITATIONS FOR TAX REFUNDS, TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, AND TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 495, A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE ACTUAL COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Barbee for the Committee on Pensions and Retirement:

Committee Substitute for **S.B. 673,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 54, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPOUSES OF PURPLE HEART PLATE HOLDERS MAY CONTINUE TO BE ISSUED THOSE PLATES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 465, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH FISCAL POLICIES FOR ENGINEERING AND DESIGN CONTRACTS WHICH WILL PROMOTE ENGINEERING AND DESIGN QUALITY

AND ENSURE MAXIMUM COMPETITION AMONG COMPETING PROFESSIONAL FIRMS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 762, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN ENTERTAINMENT TAX ON EVENTS IN LARGE FACILITIES IN THE TOWN OF CHAPEL HILL, TO AUTHORIZE THE TOWN TO REQUIRE THAT NEW DEVELOPMENT INCLUDE HOUSING FOR A PERCENTAGE OF LOW- AND MODERATE- INCOME FAMILIES OR PROVIDE LAND OR PAYMENT IN LIEU OF PROVIDING SUCH HOUSING, TO PROVIDE AUTHORIZATION FOR LOCAL REVENUE OPTIONS FOR TRANSIT FUNDING, AND TO PROVIDE THAT THE TOWN'S OCCUPANCY TAX APPLY TO UNIVERSITY FACILITIES ON THE SAME BASIS AS IT APPLIES TO PRIVATE ACCOMMODATIONS FOR TRANSIENT OCCUPANCY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Grady, and Preston, Co-Chairs, for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 807, A BILL TO BE ENTITLED AN ACT TO ALLOW ONSLOW COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARDS OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations, Subcommittee on Capital and Budget.

The committee substitute bill is re-referred to the Committee on Appropriations, Subcommittee on Capital and Budget. The original bill is placed on the Unfavorable Calendar.

Committee Substitute No. 2 for **H.B. 769,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 554, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 162,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND SIMILAR MINOR CHANGES TO THE ADOPTION LAWS AS FOUND IN CHAPTER 48 OF THE GENERAL STATUTES INVOLVING CERTIFICATION OF DOCUMENTS, NOTICE, PROCEDURES FOR REPORTS TO THE COURT, ACCEPTANCE OF RELINQUISHMENTS BY AGENCIES, INDEXING, CAPTIONS ON ADOPTION PETITIONS, AND STANDBY GUARDIANS; TO STANDARDIZE PROCEDURES FOR REQUESTING NEW BIRTH CERTIFICATES IN ALL ADOPTIONS; AND TO AMEND PROVISIONS FOR OBTAINING CERTIFICATION OF IDENTIFICATION FOR INDIVIDUALS OF FOREIGN BIRTH AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO ALLOW FOR PREBIRTH RIGHT-TO-CONSENT DETERMINATION, CLARIFY WHEN COUNTY DEPARTMENTS OF SOCIAL SERVICES MUST DO PREPLACEMENT ASSESSMENTS, TO ADD CHILDREN TO THE LIST OF PERSONS WHO CAN GET COPIES OF BIRTH CERTIFICATES OF ADOPTEES, AND TO EXTEND THE EFFECTIVE PERIOD OF PREPLACEMENT ASSESSMENTS TO EIGHTEEN MONTHS, with a

favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 997,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO IGNORES A WARNING REGARDING PERSONAL SAFETY IN A DISASTER SITUATION AND PLACES HIMSELF OR HERSELF OR ANOTHER IN DANGER AND REQUIRES AN EMERGENCY RESCUE IS GUILTY OF A CLASS 2 MISDEMEANOR AND IS ALSO CIVILLY LIABLE FOR THE COSTS OF THE RESCUE EFFORT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Culp for the Committee on Public Employees:

Committee Substitute for **S.B. 936,** A BILL TO BE ENTITLED AN ACT TO PROVIDE PRIORITY IN EMPLOYMENT ASSISTANCE FOR UNITED STATES ARMED FORCES VETERANS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 22.

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "NATIVE

AMERICAN" REGISTRATION PLATE WITH THE NET PROCEEDS FROM THE SALE OF THE PLATES TO BE TRANSFERRED TO THE NORTH CAROLINA COMMISSION ON INDIAN AFFAIRS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 22. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1137,** A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE SOIL AND WATER CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of May 22. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE THE "MARCH OF DIMES" TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO MARCH OF DIMES BIRTH DEFECTS FOUNDATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of May 22. The original bill is placed on the Unfavorable Calendar.

S.B. 356, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of May 22. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 529,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF HOPE MILLS AND WEAVERVILLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 22.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 790,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHECK TAKER OR ACCEPTOR SHALL NOT WRITE OR PRINT THE RACE OR GENDER ON THE CHECK OR DRAFT OF A CHECK PASSER, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 22.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 202,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute for **S.B. 1023,** A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS AND DUTIES OF THE DEPARTMENT OF HUMAN RESOURCES TO REQUIRE THE DEPARTMENT TO ACT ON REQUESTS FOR WAIVERS TO COMMISSION OF HEALTH SERVICES RULES AND TO REPORT TO THE GENERAL ASSEMBLY ON PROGRESS AND RECOMMENDATIONS TO IMPROVE THE PROCESS FOR THE GRANTING OR DENIAL OF APPLICATIONS FOR LICENSURE AND WAIVERS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 409,** A BILL TO BE ENTITLED AN ACT TO PERMIT AIRPORT LAW ENFORCEMENT AGENCIES TO ENTER COOPERATION AGREEMENTS WITH OTHER LAW ENFORCEMENT AGENCIES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 370,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR THE ENFORCEMENT OF ARBITRATION AWARDS PURSUANT TO THE ACT ENTERED OUTSIDE NORTH CAROLINA AND TO GIVE A PARTY THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT A PROCEEDING PURSUANT TO THE ACT, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 626, A BILL TO BE ENTITLED AN ACT TO ESTABLISH IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES THE OFFICE OF WOMEN'S HEALTH, passes its second reading by electronic vote (87-27).

Representative Wainwright states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (88-27).

Representative Sherrill objects to the third reading. The bill remains on the Calendar.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative Rayfield for the Permanent Subcommittee on Community Colleges:

REPORT OF COMMUNITY COLLEGES SUBCOMMITTEE

Pursuant to G.S. 115D-2.1(b)(4)f, the House Education Subcommittee on Community Colleges met on May 15, 1997, the majority of members being present, and submits the following nominees to be considered by the House of Representatives May 21, 1997, for election to the State Board of Community Colleges for a six-year term, beginning July 1, 1997.

Ruth Arant
Indian Trail, North Carolina

Peter Kratz
Greenville, North Carolina

Sharon Decker
Belmont, North Carolina

Nell White
Murphy, North Carolina

Peter Hans
Hendersonville, North Carolina

I certify that these nominees are legally qualified to serve and are willing to serve if elected.

S/ John M. Rayfield, Chair
EDUCATION/Subcommittee on
Community Colleges

BOARD OF COMMUNITY COLLEGES ELECTION

The Speaker recognizes Representative Rayfield, who explains the subcommittee report and the voting procedure to the membership.

Pursuant to **H.J.R. 1152,** ballots are distributed to the members and the election proceeds.

Representative Rayfield, along with members of the subcommittee, retires from the Chamber to canvass the vote.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 167, AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS

LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION.

S.B. 247, AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS.

S.B. 305, AN ACT TO REINSTATE THE OPTION THAT A LICENSED SOLICITOR OF CHARITABLE SOLICITATIONS MAY SUBMIT A CERTIFICATE OF DEPOSIT IN LIEU OF A SECURITY BOND.

S.B. 876, AN ACT TO AMEND THE LAW PERTAINING TO CRIMINAL BACKGROUND CHECKS REQUIRED TO BE OBTAINED BY NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES.

H.B. 527, AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 251, A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS CERTIFICATION COMMISSION, TO REQUIRE THAT WELL CONTRACTORS BE CERTIFIED, AND TO MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report, and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 417, A BILL TO BE ENTITLED AN ACT REGARDING MITCHELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 421, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Insurance.

The bill is re-referred to the Committee on Insurance.

H.B. 849, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 207,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRIMINAL HISTORY RECORD CHECKS LAW TO MAKE CLARIFYING CHANGES AND TO REQUIRE A CRIMINAL BACKGROUND CHECK ON HOME HEALTH AGENCY APPLICANTS ONLY FOR CERTAIN POSITIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
May 21, 1997

Mr. Speaker:

Pursuant to G.S. 115D-2.1(b)(4)f., and **H.J.R. 1152,** A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, it is ordered that a message be sent to your Honorable Body notifying you of the election by the Senate, of Anne-Marie Kelly Knighton and Dr. G. Herman Porter, for six-year terms beginning July 1, 1997, and expiring June 30, 2003.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

RE-REFERRAL

On motion of Representative Neely, **H.B. 925,** A BILL TO BE ENTITLED AN ACT TO PROTECT THE PRIVACY OF HEALTH INFORMATION, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Rules, Calendar, and Operations of the House.

BOARD OF COMMUNITY COLLEGES ELECTION

Representative Rayfield, Chair of the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, makes the following report concerning the State Board of Community Colleges election.

A total of 117 members voted in the election, with no ballots being voided.

Sharon Decker received 97 votes; Peter Hans received 56 votes; Peter Kratz received 50 votes; Nell White received 19 votes; and Ruth Arant received 12 votes.

Sharon Decker, having received a majority vote, is elected.

The remaining candidates names are placed on the second ballot and the election continues.

Representative Rayfield reports that 108 members voted on the second ballot, with two ballots being voided.

Peter Hans received 54 votes; Peter Kratz received 30 votes; Nell White received 9 votes; and Ruth Arant received 7 votes.

None of the candidates having received a majority vote, a third ballot is necessary. The three candidates having received the highest votes are placed on the third ballot and the election continues.

Representative Rayfield reports that 107 members voted on the third ballot, with no ballots being voided.

Peter Hans received 61 votes; Peter Kratz received 38 votes; and Nell White received 8 votes.

Peter Hans, having received a majority vote, is elected.

On motion of Representative Rayfield, and pursuant to Article VI, Section 5 of the North Carolina Constitution, Sharon Decker and Peter Hans are elected by acclamation to the State Board of Community Colleges. Ms. Decker and Mr. Hans will serve a six-year term, beginning July 1, 1997.

On motion of Representative Rayfield, and pursuant to G.S. 115D-2.1(b)(4)f, the foregoing actions taken by the House of Representatives are confirmed by electronic vote (93-0).

The Senate is so notified of the action taken by Special Message.

On motion of Representative Morgan, seconded by Representative Hightower, the House adjourns at 4:05 p.m. to reconvene May 22 at 1:00 p.m.

SIXTY-SIXTH DAY

HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, Raleigh, North Carolina.

"Eternal God, everything that we have at our fingertips and at our disposal comes from You. Nothing in our lives that we consider blessed can come from any other source, for You alone are the source of divine Love. Forgive us when we take these gifts for granted and exploit them and spend them as if they were ours to do with what we wish. These seats which we occupy are a sacred gift that have been entrusted to us by others and with them comes authority...and with authority comes responsibility. Lord, remind us of our oaths of responsibility: to You; to our families; to our friends; to our neighbors; to our colleagues; and to those who have elected us to serve on their behalf. Grant us the vision to see; the ears to hear; and the wisdom to speak and act with courage and conviction. In the name of Almighty God, we pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (105-0).

Leaves of absence are granted Representatives Alexander, Church, Cunningham, Kinney, McAllister, McCombs, and Starnes for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 106, AN ACT TO ALLOW REGIONAL SALES OF PERSONAL PROPERTY SEIZED FOR UNPAID TAXES TO BE HELD IN ANY COUNTY.

S.B. 1023, AN ACT TO AMEND THE POWERS AND DUTIES OF THE DEPARTMENT OF HUMAN RESOURCES TO REQUIRE THE DEPARTMENT TO ACT ON REQUESTS FOR WAIVERS TO COMMISSION OF HEALTH SERVICES RULES AND TO REPORT TO THE GENERAL ASSEMBLY ON PROGRESS AND RECOMMENDATIONS TO IMPROVE THE PROCESS FOR THE GRANTING OR DENIAL OF APPLICATIONS FOR LICENSURE AND WAIVERS.

H.B. 202, AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H.B. 414, AN ACT RELATING TO SEVERANCE PAY FOR THE PURPOSES OF UNEMPLOYMENT INSURANCE BENEFITS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 603, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with recommendation that the House concur.

The bill is placed on the Calendar of May 26.

H.B. 751, A BILL TO BE ENTITLED AN ACT TO REDUCE RELIANCE ON DEBT FOR PUBLIC SCHOOL CONSTRUCTION IN CABARRUS COUNTY BY AUTHORIZING THE COUNTY TO LEVY A TEMPORARY SALES AND USE TAX OF ONE PERCENT, IF APPROVED BY THE VOTERS OF THE COUNTY, FOR PUBLIC SCHOOL CONSTRUCTION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute for **S.B. 47,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 26.

S.B. 58, A BILL TO BE ENTITLED AN ACT TO ADD BURKE, CALDWELL, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 26.

S.B. 64, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF

THE TOWN COUNCIL TO ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 26.

S.B. 121, A BILL TO BE ENTITLED AN ACT TO INCLUDE BUNCOMBE, MADISON, MCDOWELL, AND YANCEY COUNTIES IN THE STATEWIDE SEASONS FOR TAKING BEAVER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 26.

Committee Substitute for **S.B. 130,** A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN THEIR RESPECTIVE SPHERES OF INFLUENCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 186, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN ALLEGHANY COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO RETAIN POSSESSION OF TOWED VEHICLES UNTIL THE OWNER PAYS THE TOWING FEE AND OVERDUE TICKETS OR POSTS A BOND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF RUTHERFORDTON CONCERNING THE DISTRIBUTIONS OF PROFITS FROM THE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 26.

S.B. 322, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PETITIONS TO QUALIFY INDEPENDENT CANDIDATES ON THE BALLOT FOR COUNTY OFFICE IN AVERY COUNTY RECEIVE THE MINIMUM AMOUNT OF SIGNATURES FROM EACH PRECINCT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 26.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1057, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 896,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE PRACTICE OF LAW BY ATTORNEYS REPRESENTING CORPORATIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

H.B. 1199, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY INCENTIVES FOR ACADEMIC EXCELLENCE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 366,** A BILL TO BE ENTITLED AN ACT TO REVISE THE MEDIATION PROCEDURE FOR RESOLVING SCHOOL BUDGET DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS, AND

TO CLARIFY THE SCOPE OF THE SCHOOL FACILITIES GUIDELINES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 225, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT RELEASES IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LUMBERTON ECONOMIC DEVELOPMENT AND TOURIST DISTRICT AND TO AUTHORIZE THE ISSUANCE OF CERTAIN ABC PERMITS IN THIS TYPE OF DISTRICT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 26.

S.B. 811, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SOUTHEASTERN NORTH CAROLINA REGIONAL ECONOMIC DEVELOPMENT COMMISSION TO HIRE AND CONTRACT FOR PERSONNEL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 814, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IN-STAND SALES OF ALCOHOLIC BEVERAGES IN CERTAIN STADIUMS, BALLPARKS, AND SIMILAR PUBLIC PLACES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of May 26. The original bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

S.B. 884, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A STATE INFRASTRUCTURE BANK, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Reynolds, for the Committee on Technology:

Committee Substitute for **S.B. 869,** A BILL TO BE ENTITLED AN ACT TO TRANSFER TECHNOLOGY-RELATED FUNCTIONS OF STATE GOVERNMENT TO THE DEPARTMENT OF COMMERCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRAL

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers **H.B. 31,** A BILL TO BE ENTITLED AN ACT ESTABLISHING THE NORTH CAROLINA GOVERNMENT COMPETITION COMMISSION TO PROVIDE FOR

BETTER GOVERNMENT IN NORTH CAROLINA THROUGH A COMPREHENSIVE STATE GOVERNMENT COMPETITION INITIATIVE, to the Permanent Subcommittee on Natural and Economic Resources.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

S.B. 921, A BILL TO BE ENTITLED AN ACT TO EXEMPT CONTINUING CARE FACILITIES THAT PROVIDE HUMANE AND PHILANTHROPIC CARE TO THE ELDERLY FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 28,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE FIFTH MEMBER OF A COUNTY BOARD OF SOCIAL SERVICES TO BE SELECTED BY MAJORITY VOTE OF THE FOUR OTHER MEMBERS, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 26.

Senate Committee Substitute for **H.B. 70,** A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 26.

Senate Committee Substitute for **H.B. 312,** A BILL TO BE ENTITLED AN ACT UPDATING THE STATUTORY MORTALITY TABLES USED AS EVIDENCE TO ESTABLISH THE EXPECTANCY OF CONTINUED

LIFE, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 26.

Committee Substitute for **H.B. 629,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY AND TO MODIFY THE LAW LIMITING THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY, is returned for concurrence in Senate amendment and placed on the Calendar of May 26.

Senate Committee Substitute for **H.B. 828,** A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILSON TO INCREASE THE SETTLEMENT AUTHORITY OF THE CITY MANAGER, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 26.

S.B. 812, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK, is read the first time and referred to the Committee on Transportation.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
May 22, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, and requests conferees. The President Pro Tempore appoints:

Senator Kerr, Chairman
Senator Hoyle
Senator Kincaid
Senator Martin of Pitt

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
May 22, 1997

Mr. Speaker:

Pursuant to your message received Wednesday, May 14, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 81,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, and requests conferees. The President Pro Tempore appoints:

Senator Cochrane, Chairman
Senator Lucas
Senator Hartsell
Senator Carpenter
Senator Dalton

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 790,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHECK TAKER OR ACCEPTOR SHALL NOT WRITE OR PRINT THE RACE OR GENDER ON THE CHECK OR DRAFT OF A CHECK PASSER.

On motion of Representative Michaux, the House concurs in the Senate committee substitute, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Warner and without objection, House Committee Substitute for **S.B. 529,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF HOPE MILLS, is withdrawn from the Calendar and placed on the Calendar of May 26.

CALENDAR (continued)

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Alexander, Church, Cunningham, Kinney, McAllister, McCombs, and Starnes - 7.

House Committee Substitute for **S.B. 356,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (104-3).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allred, Arnold, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: Representatives Aldridge, Baker, Bowie, Decker, Dickson, Hiatt, Mitchell, and Preston - 8.

Excused absences: Representatives Alexander, Church, Cunningham, Kinney, McAllister, McCombs, and Starnes - 7.

Committee Substitute for **H.B. 1082,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A NATIVE AMERICAN REGISTRATION PLATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Bowie, Creech, Davis, Hardy, and Hensley - 5.

Excused absences: Representatives Alexander, Church, Cunningham, Kinney, McAllister, McCombs, and Starnes - 7.

Committee Substitute No. 2 for **H.B. 1137,** A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE SOIL AND WATER CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representatives Bowie, Creech, Davis, Hardy, and Hensley - 5.

Excused absences: Representatives Alexander, Church, Cunningham, Kinney, McAllister, McCombs, and Starnes - 7.

Committee Substitute for **H.B. 1156,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Bowie, Creech, Davis, Hardy, and Hensley - 5.

Excused absences: Representatives Alexander, Church, Cunningham, Kinney, McAllister, McCombs, and Starnes - 7.

FISCAL NOTE REQUESTED

Pursuant to Rule 36.1, Representative Esposito, Co-Chair of the Committee on Appropriations, requests a fiscal note on **S.B. 626,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES THE OFFICE OF WOMEN'S HEALTH.

The bill is removed from the Calendar.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 914,** A BILL TO BE ENTITLED AN ACT TO REVISE THE REIMBURSEMENT METHODOLOGY FOR HOSPITAL CHARGES UNDER WORKERS' COMPENSATION, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

H.B. 537, A BILL TO BE ENTITLED AN ACT TO PROVIDE RELIEF FOR FEDERAL RETIREES AND THE SURVIVING SPOUSES OF FEDERAL RETIREES, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT: Representatives Gray, Chair, Dickson, Carpenter, Owens, and R. Hunter.

The Senate is so notified by Special Message.

RE-REFERRALS

On motion of Representative Russell and without objection, **H.B. 1180,** A BILL TO BE ENTITLED AN ACT TO EXPAND THE MODEL TEACHER EDUCATION CONSORTIUM TO INCLUDE CUMBERLAND, ROBESON, AND HOKE COUNTIES, FAYETTEVILLE STATE UNIVERSITY, THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, ROBESON COMMUNITY COLLEGE, AND FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations, Subcommittee on Education.

On motion of Representative Russell and without objection, **H.B. 1221,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STUDY THE NEEDS OF NORTH CAROLINA RESIDENTS FOR WHOM ENGLISH IS A SECOND LANGUAGE, is withdrawn from the Committee on Education and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, **H.B. 466,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Wright, the House adjourns at 1:59 p.m. to reconvene Monday, May 26, 1997, at 7:00 p.m.

SIXTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 26, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, Raleigh, North Carolina.

A moment of silence is observed in memory of Mr. Charles Parrish, who served as a Deputy Sergeant-at-Arms and passed away Saturday, May 24, 1997.

"Eternal God, Creator and Preserver of all life, Author of salvation, Giver of all grace: we give You thanks for the past weekend's rest and the opportunity we had to be with those we love and hold dear. As we prepare for another week of work in a free society, we pause for a moment of silence on this Memorial Day, as we give thanks for the lives of those who have helped to make and to keep this nation free.

"Tonight, we gather together for another week in this place to continue our efforts carrying out our part in the administration of this State. Remind us of our responsibility to be sensitive to the needs of others. Grant us the clarity of Your vision to see clearly, the difference between right and wrong and give us the conviction to make our decisions based on the greater of these two. Bless and sanctify us in the many respective jobs that we do. May our work be recognized as our efforts to better our lives while on earth, and may we always be mindful of the sacred responsibility we have for the lives that have been entrusted into our care. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-0).

Representative Wainwright states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (105-0).

Leaves of absence are granted Representatives Bonner, Creech, Dockham, Hightower, Holmes, and Wood for today. Representative Hardaway is excused for a portion of the session.

The Chair appoints Reverend James H. Harry as Chaplain for the House of Representatives.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 323, AN ACT TO ALLOW AN INCOME TAX CREDIT FOR EXPENDITURES TO REHABILITATE HISTORIC STRUCTURES.

H.B. 402, AN ACT TO PROVIDE THAT AN INFRACTION FOR CERTAIN ALCOHOL-RELATED OFFENSES MAY BE EXPUNGED FROM A PERSON'S RECORD AFTER A DISMISSAL OR UPON A FINDING OF NOT RESPONSIBLE.

H.B. 455, AN ACT TO AMEND THE GENERAL STATUTES CONCERNING THE DETECTION, PREVENTION, CARE, AND TREATMENT OF GLAUCOMA AND DIABETES.

H.B. 456, AN ACT TO REPEAL THE LAW REQUIRING THE REGISTER OF DEEDS TO DISTRIBUTE INFORMATION ON THE DANGERS OF DRUG AND ALCOHOL ABUSE DURING PREGNANCY WITH EACH MARRIAGE LICENSE.

H.B. 474, AN ACT TO CLARIFY WHICH PREINDUCEMENT EXPENDITURES MAY BE FINANCED WITH INDUSTRIAL REVENUE BONDS.

H.B. 790, AN ACT TO PROVIDE THAT A CHECK TAKER OR ACCEPTOR SHALL NOT WRITE OR PRINT THE RACE OR GENDER ON THE CHECK OR DRAFT OF A CHECK PASSER.

H.B. 988, AN ACT TO RESTORE OFFICIAL RECOGNITION TO THE INDIANS OF PERSON COUNTY AND TO PROVIDE THEM WITH REPRESENTATION ON THE COMMISSION OF INDIAN AFFAIRS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 17, AN ACT TO REPEAL AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY.

H.B. 51, AN ACT TO GIVE MUNICIPALITIES IN BUNCOMBE COUNTY GENERAL LAW POWERS AS TO DOWNTOWN DEVELOPMENT PROJECTS.

H.B. 75, AN ACT CODIFYING THE METHOD OF ELECTING THE PERSON COUNTY BOARD OF EDUCATION AS ORDERED BY THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

H.B. 281, AN ACT TO PROVIDE THAT THE ALEXANDER COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS.

H.B. 288, AN ACT TO ALLOW SERVICE OF COMPLAINTS BY PUBLICATION AND SERVICE OF NOTICES AND ORDERS BY REGULAR MAIL IN HOUSING CODE CASES IN THE CITY OF GREENSBORO.

H.B. 298, AN ACT INCREASING FROM FIVE TO SEVEN THE MEMBERSHIP OF THE COLUMBUS COUNTY AIRPORT AUTHORITY.

H.B. 526, AN ACT TO AUTHORIZE THE TOWN OF WRIGHTSVILLE BEACH TO CREATE A SEA TURTLE SANCTUARY.

H.B. 569, AN ACT TO CLARIFY THAT IN ELECTIONS TO FILL VACANCIES ON THE WENDELL TOWN BOARD FOR THE REMAINDER OF THE UNEXPIRED TERM, THE NEXT HIGHEST VOTE GETTER RECEIVES A TWO-YEAR TERM, RATHER THAN HAVING A SEPARATE ELECTION ON THE BALLOT.

H.B. 806, AN ACT TO ALLOW THE CITY OF CONOVER TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE.

H.B. 877, AN ACT TO ADD, FOR THE TOWN OF KURE BEACH ONLY, EROSION CONTROL MEASURES TO THE LIST OF PUBLIC ENTERPRISES THAT CITIES HAVE FULL AUTHORITY TO PROTECT AND REGULATE.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 488, AN ACT TO AUTHORIZE AN INCREASE IN THE FEE CHARGED FOR RABIES TAGS. (S.L. 1997-69)

H.B. 336, AN ACT TO ALLOW TWO MEMBERS OF THE VICTIM'S FAMILY TO BE PRESENT AT AN EXECUTION. (S.L. 1997-70)

S.B. 265, AN ACT TO AMEND THE STATUTES ON SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTIONS IN THE UNIVERSITY OF NORTH CAROLINA SYSTEM TO CLARIFY THE ROLE OF THE OFFICE OF THE STATE AUDITOR. (S.L. 1997-71)

S.B. 800, AN ACT TO TRANSFER THE AUTHORITY TO EMPLOY AN EXECUTIVE SECRETARY FOR THE JUDICIAL STANDARDS COMMISSION FROM THE COMMISSION AS A WHOLE TO THE COMMISSION CHAIR. (S.L. 1997-72)

H.B. 143, AN ACT TO CHANGE THE ANNUAL COST REPORTING REQUIREMENTS OF ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES AND TO CHANGE THE DEPARTMENT'S ENFORCEMENT PROVISIONS. (S.L. 1997-73)

H.B. 61, AN ACT TO REPEAL OBSOLETE SECTIONS OF CHAPTER 106 OF THE NORTH CAROLINA GENERAL STATUTES. (S.L. 1997-74)

H.B. 527, AN ACT TO ENHANCE THE ROLE OF OPTOMETRISTS IN MEDICAL COST CONTAINMENT THROUGH REVISION OF THE HOSPITAL PRIVILEGES LAW, TO REPEAL THE REQUIREMENT FOR AN OPTOMETRIST TO COLLABORATE WITH A PHYSICIAN IN THE USE OR PRESCRIPTION OF CERTAIN PHARMACEUTICAL AGENTS, TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, AND TO ESTABLISH AN OPTOMETRIST PRIVILEGE. (S.L. 1997-75)

S.B. 945, AN ACT TO REQUIRE THE PRESCRIBER'S AND THE PATIENT'S CONSENT FOR INTERCHANGE OF A LIMITED CLASS OF DRUGS. (S.L. 1997-76)

H.B. 36, AN ACT TO RELIEVE CONSUMERS OF THE REQUIREMENT OF FILING MONTHLY USE TAX RETURNS. (S.L. 1997-77)

H.B. 147, AN ACT TO CREATE THE FELONY OFFENSE OF DOG FIGHTING AND BAITING. (S.L. 1997-78)

H.B. 174, AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO PERMIT AN ACTIVE SENTENCE TO BE IMPOSED FOR A CRIMINAL CONVICTION IF THE DEFENDANT SERVED TIME AWAITING TRIAL. (S.L. 1997-79)

H.B. 175, AN ACT TO IMPLEMENT THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION'S RECOMMENDATION TO MAKE CERTAIN TECHNICAL, CLARIFYING, AND CONFORMING AMENDMENTS TO STRUCTURED SENTENCING. (S.L. 1997-80)

H.B. 191, AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY

DECREES AND FOR THE VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE. (S.L. 1997-81)

H.B. 192, AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION. (S.L. 1997-82)

H.B. 197, AN ACT TO ESTABLISH A PROCEDURE FOR CONDUCTING JUDICIAL SALES OF TIMBER BY SEALED BID, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 1997-83)

H.B. 935, AN ACT TO RECOGNIZE LLAMAS AS LIVESTOCK ANIMALS. (S. L. 1997-84)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 105, A BILL TO BE ENTITLED AN ACT TO ADD ALLEGHANY AND ROCKINGHAM COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

Committee Substitute for **S.B. 616,** A BILL TO BE ENTITLED AN ACT TO LIMIT APPEALS TO LOCAL BOARDS OF EDUCATION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 765, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO DEDICATE ADEQUATE FUNDING TO STUDENTS IN ALTERNATIVE SCHOOLS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 958,** A BILL TO BE ENTITLED AN ACT TO ALLOW STUDENTS WHO RESIDE WITH DOMICILIARIES OF A LOCAL SCHOOL ADMINISTRATIVE UNIT TO ATTEND THE PUBLIC SCHOOLS OF THAT UNIT WITHOUT THE PAYMENT OF TUITION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 1011,** A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS TO ADMIT OTHERWISE ELIGIBLE CHILDREN TO KINDERGARTEN AFTER THE FIRST MONTH OF SCHOOL, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

INTRODUCTION OF PAGES

Pages for the week of May 26 are introduced to the membership. They are: Domingo R. Borja of Wake; Amanda Leah Bristow of Forsyth; Danny Earl Britt of Bladen; Garrett Brooks of Franklin; Gregory B. Brown of Lincoln; Amanda Champion of Cherokee; Jessica C. Collins of Robeson; Roland Curtis Draughn, III, of Duplin; Luke Faw of Mecklenburg; Ryan Benjamin Harrison of Mitchell; Brandee Lynn Johnson of Cleveland; Morgan Joseph Lee of Craven; Michael Clinton Maddry of Wake; Abigail Rose McKinney of Mitchell; Christopher Brian Pressley of Haywood; David Locke Rowe of Surry; Demetria Ann Simmons of Cumberland; Brantley Aaron Smith of Lincoln; Jessica Kate Stroud of Duplin;

Marcallus Tryone Sunday, II, of Forsyth; George Burke Whitener of Caldwell; and Clifton Marquez Young of Buncombe.

RE-REFERRAL

On motion of Representative Morgan and without objection, **S.B. 727,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, BY CLARIFYING THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, BY INCREASING COURT FEES IN CRIMINAL CASES, AND BY INCREASING THE FEES FOR FILING CERTAIN DOCUMENTS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 53,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE 82ND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 27.

Senate Committee Substitute for **H.B. 704,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL REGISTRATION PLATES FOR SHERIFFS, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 27.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 379,** A BILL TO BE ENTITLED AN ACT TO EXEMPT OPERATORS OF SOLID WASTE MANAGEMENT FACILITIES WHO HAVE FIVE YEARS CONTINUOUS EXPERIENCE IMMEDIATELY PRECEDING JANUARY 1, 1998, FROM THE TRAINING COURSE REQUIREMENT FOR OPERATORS OF SOLID WASTE MANAGEMENT FACILITIES, is read the first time and referred to the Committee on Environment.

Committee Substitute No. 2 for **S.B. 426,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES AND TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 570,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "SCENIC RIVERS" REGISTRATION PLATE WITH THE NET PROCEEDS FROM THE SALE OF THE PLATES TO BE DEPOSITED IN THE CLEAN WATER MANAGEMENT TRUST FUND, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 649,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR LATE FILING OF REPORTS BY LOBBYIST AND PRINCIPAL, is read the first time and referred to the Committee on Ethics and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 676,** A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, is read the first time and referred to the Committee on Judiciary II.

S.J.R. 707, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROYCE PHELPS "BO" THOMAS, FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 847,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX REUSABLE INDUSTRIAL CONTAINERS USED AS PACKAGING FOR TANGIBLE PERSONAL PROPERTY, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 70,** A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS TO ADDRESS ABANDONED STRUCTURES IN THE SAME

MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

On motion of Representative Crawford, the House concurs in the Senate committee substitute, by electronic vote (104-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 603,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

On motion of Representative Ramsey, the House concurs in the Senate committee substitute, by electronic vote (97-7), and the bill is ordered enrolled.

Committee Substitute for **H.B. 629,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY AND TO MODIFY THE LAW LIMITING THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY.

On motion of Representative Davis, the House concurs in the Senate amendment, by electronic vote (104-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 828,** A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILSON TO INCREASE THE SETTLEMENT AUTHORITY OF THE CITY MANAGER.

On motion of Representative Arnold, the House concurs in the Senate committee substitute, by electronic vote (102-2), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 28,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE FIFTH MEMBER OF A COUNTY BOARD OF SOCIAL SERVICES TO BE SELECTED BY MAJORITY VOTE OF THE FOUR OTHER MEMBERS.

On motion of Representative Baker, the House concurs in the Senate committee substitute, by electronic vote (105-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 312,** A BILL TO BE ENTITLED AN ACT UPDATING THE STATUTORY MORTALITY

TABLES USED AS EVIDENCE TO ESTABLISH THE EXPECTANCY OF CONTINUED LIFE.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Bonner, Creech, Dockham, Hardaway, Hightower, Holmes, and Wood - 7.

House Committee Substitute for **S.B. 356,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Bonner, Creech, Dockham, Hardaway, Hightower, Holmes, and Wood - 7.

House Committee Substitute for **S.B. 529,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF HOPE MILLS AND WEAVERVILLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hill, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent,

Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Bonner, Creech, Dockham, Hardaway, Hightower, Holmes, and Wood - 7.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hardy and without objection, **S.B. 58,** A BILL TO BE ENTITLED AN ACT TO ADD BURKE, CALDWELL, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, is withdrawn from the Calendar and placed on the Calendar of May 27.

CALENDAR (continued)

Committee Substitute for **S.B. 47,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 64, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF THE TOWN COUNCIL TO ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 121, A BILL TO BE ENTITLED AN ACT TO INCLUDE BUNCOMBE, MADISON, MCDOWELL, AND YANCEY COUNTIES IN THE STATEWIDE SEASONS FOR TAKING BEAVER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 290, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF RUTHERFORDTON CONCERNING THE DISTRIBUTIONS OF PROFITS FROM THE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 322, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PETITIONS TO QUALIFY INDEPENDENT CANDIDATES ON THE BALLOT FOR COUNTY OFFICE IN AVERY COUNTY RECEIVE THE MINIMUM AMOUNT OF SIGNATURES FROM EACH PRECINCT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 1082,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A NATIVE AMERICAN REGISTRATION PLATE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hiatt, Hill, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 99.

Voting in the negative: Representatives Bowie, Davis, Hardy, and Hensley - 4.

Excused absences: Representatives Bonner, Creech, Dockham, Hardaway, Hightower, Holmes, and Wood - 7.

Committee Substitute No. 2 for **H.B. 1137,** A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO

PROMOTE SOIL AND WATER CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hiatt, Hill, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: Representatives Bowie, Davis, Hardy, and Hensley - 4.

Excused absences: Representatives Bonner, Creech, Dockham, Hardaway, Hightower, Holmes, and Wood - 7.

Committee Substitute for **H.B. 1156,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hiatt, Hill, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux,

Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Bowie, Davis, Gamble, Hardy, and Hensley - 5.

Excused absences: Representatives Bonner, Creech, Dockham, Hardaway, Hightower, Holmes, and Wood - 7.

House Committee Substitute for **S.B. 153,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE FOR FIVE MORE YEARS, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hill, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representative Decker.

Excused absences: Representatives Bonner, Creech, Dockham, Hardaway, Hightower, Holmes, and Wood - 7.

Committee Substitute for **H.B. 495,** A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hill, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Bonner, Creech, Dockham, Hardaway, Hightower, Holmes, and Wood - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 673,** A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Committee Substitute for **S.B. 207,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRIMINAL HISTORY RECORD CHECKS LAW TO MAKE CLARIFYING CHANGES AND TO REQUIRE A CRIMINAL BACKGROUND CHECK ON HOME HEALTH AGENCY APPLICANTS ONLY FOR CERTAIN POSITIONS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LUMBERTON ECONOMIC DEVELOPMENT AND TOURIST DISTRICT AND TO AUTHORIZE THE ISSUANCE OF CERTAIN ABC PERMITS IN THIS TYPE OF DISTRICT.

Representative Capps moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II. The motion fails by electronic vote (33-74).

Representative Capps offers Amendment No. 1 which fails of adoption by electronic vote (38-69).

Representative Sutton calls the previous question on the passage of the bill and the call is sustained by electronic vote (78-29).

The bill passes its second reading by electronic vote (65-42).

Representative Decker objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 164, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WESLEY DAVIS WEBSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Morgan and without objection, Rule 41(a) is suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CALENDAR (continued)

House Committee Substitute for **S.B. 814,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IN-STAND SALES OF ALCOHOLIC BEVERAGES IN CERTAIN STADIUMS, BALLPARKS, AND SIMILAR PUBLIC PLACES, passes its second reading, by electronic vote (69-35), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
May 26, 1997

Mr. Speaker:

Pursuant to **S.J.R. 1072,** A JOINT RESOLUTION INVITING THE HONORABLE JESSE A. HELMS, UNITED STATES SENATOR, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., the President Pro Tempore appoints as a committee on the part of the Senate to escort Senator Helms to the Joint Session in the Hall of the House of Representatives on Tuesday, May 27, 1997, at 11:00 A.M.

Senator Page, Chairman
Senator Plyler
Senator Shaw of Guilford
Senator Conder
Senator Cochrane
Senator Kincaid
Senator Lee

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

Representative Morgan moves, seconded by Representative Starnes, that the House adjourn, in memory of those who served our country in time of war and, in particular, in memory of those who gave their lives so we could live in freedom, to reconvene May 27 at 10:45 a.m. The motion carries.

The House stands adjourned at 8:57 p.m.

SIXTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 27, 1997

The House meets at 10:45 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Greg Mathis, Mud Creek Baptist Church, Hendersonville, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (80-0).

Leaves of absence are granted Representatives Creech, Hardaway, and Justus for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 207, AN ACT TO MODIFY THE CRIMINAL HISTORY RECORD CHECKS LAW TO MAKE CLARIFYING CHANGES AND TO REQUIRE A CRIMINAL BACKGROUND CHECK ON HOME HEALTH AGENCY APPLICANTS ONLY FOR CERTAIN POSITIONS.

S.B. 266, AN ACT TO AUTHORIZE THE PRODUCTION AND SALE OF RED DEER.

S.B. 370, AN ACT TO AMEND THE NORTH CAROLINA INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR THE ENFORCEMENT OF ARBITRATION AWARDS PURSUANT TO THE ACT ENTERED OUTSIDE NORTH CAROLINA AND TO GIVE A PARTY THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT A PROCEEDING PURSUANT TO THE ACT.

S.B. 409, AN ACT TO PERMIT AIRPORT LAW ENFORCEMENT AGENCIES TO ENTER COOPERATION AGREEMENTS WITH OTHER LAW ENFORCEMENT AGENCIES.

S.B. 673, AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

H.B. 28, AN ACT TO ALLOW THE FIFTH MEMBER OF A COUNTY BOARD OF SOCIAL SERVICES TO BE SELECTED BY MAJORITY VOTE OF THE FOUR OTHER MEMBERS.

H.B. 312, AN ACT UPDATING THE STATUTORY MORTALITY TABLES USED AS EVIDENCE TO ESTABLISH THE EXPECTANCY OF CONTINUED LIFE.

H.B. 348, AN ACT TO PROVIDE FOR A CIDER AND VINEGAR MANUFACTURER PERMIT TO BE ISSUED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 47, AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY.

S.B. 64, AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF THE TOWN COUNCIL TO

ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES.

S.B. 121, AN ACT TO INCLUDE BUNCOMBE, MADISON, MCDOWELL, AND YANCEY COUNTIES IN THE STATEWIDE SEASONS FOR TAKING BEAVER.

S.B. 290, AN ACT TO AMEND THE CHARTER OF RUTHERFORDTON CONCERNING THE DISTRIBUTIONS OF PROFITS FROM THE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM.

S.B. 322, AN ACT TO REQUIRE THAT PETITIONS TO QUALIFY INDEPENDENT CANDIDATES ON THE BALLOT FOR COUNTY OFFICE IN AVERY COUNTY RECEIVE THE MINIMUM AMOUNT OF SIGNATURES FROM EACH PRECINCT.

H.B. 65, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON.

H.B. 70, AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

H.B. 603, AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

H.B. 629, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY AND TO MODIFY THE LAW LIMITING THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY.

H.B. 828, AN ACT AMENDING THE CHARTER OF THE CITY OF WILSON TO INCREASE THE SETTLEMENT AUTHORITY OF THE CITY MANAGER.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 164, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WESLEY DAVIS WEBSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 13)

ESCORT COMMITTEE

The Speaker appoints the following as an escort committee for United States Senator Jesse A. Helms: Representative Neely, Chair; Representatives Starnes, Capps, Bowie, Miner, Mosley, Gardner, and H. Hunter. The Senate is so notified by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 112,** A BILL TO BE ENTITLED AN ACT TO CREATE A SAFETY ZONE AROUND PUBLIC AND PRIVATE SCHOOLS IN CAMDEN COUNTY BY PROHIBITING HUNTING OR THE DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY OF PUBLIC ROADS WITHIN ONE-HALF MILE OF A SCHOOL, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 28.

Senate Committee Substitute for **H.B. 977,** A BILL TO BE ENTITLED AN ACT TO ALLOW PARENTS TO ELECT THE PARENTS WHO SERVE ON SCHOOL IMPROVEMENT TEAMS, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 28.

Committee Substitute No. 2 for **S.B. 660,** A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 916, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS REGULATING COSMETIC ART, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
May 27, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that pursuant to **S.J.R. 1072,** A JOINT RESOLUTION INVITING THE HONORABLE JESSE A. HELMS, UNITED STATES SENATOR, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Chair orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

Representative Morgan moves, seconded by Representative Miller, that the House adjourn subject to the receipt of committee reports, upon dissolution of the Joint Session, to reconvene May 28 at 2:00 p.m. The motion carries.

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Dennis A. Wicker, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Judge of the Court of Appeals, and members of the Judiciary who are seated for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State and the Governor's Cabinet who are seated for the Joint Session.

The Speaker extends the courtesies of the gallery to Mrs. Dorothy Helms, wife of Senator Helms; members of the Helms family; and invited guests.

The Speaker extends the courtesies of the floor to the Chief Judge, members of the Judiciary, the Council of State, the Governor's Cabinet, and all invited guests.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House is recognized and he announces the approach of His Excellency, James B. Hunt, Jr., Governor of North Carolina.

The Sergeant-at-Arms of the House and the Senate are directed to admit His Excellency, Governor James B. Hunt, Jr., to the Hall of the House. The Governor is seated for the Joint Session.

The Sergeant-at-Arms of the House is recognized and he announces the approach of United States Senator Jesse A. Helms. Senator Helms enters escorted by Senators Page, Plyler, Shaw of Guilford, Conder, Cochrane, Kincaid, and Lee; and Representatives Neely, Starnes, Capps, Bowie, Miner, Mosley, Gardner, and H. Hunter.

The President recognizes Senator Page, who presents United States Senator Jesse A. Helms to the Joint Assembly and he makes the following remarks.

REMARKS BY
U.S. SENATOR JESSE A. HELMS

"Mr. President, President Pro-Tem Basnight, Speaker Brubaker, Governor Hunt, Council of State Members, Chief Judge Arnold, Members of the Governors Cabinet, Members of the Senate and House of Representatives, guests and friends.

"I am deeply touched and profoundly honored by your invitation to come this morning for this joint session of the General Assembly of North Carolina--the greatest State of the Union.

"One of the papers speculated the other day that I am the first sitting Senator to be accorded this honor. If so, I wish my parents were still around--my father would be fascinated by your having me here. My mother would have thought I deserved it.

"The distinguished U. S. Senator from West Virginia, Mr. Robert C. Byrd--who was born in North Carolina, by the way--is the U. S. Senate's walking encyclopedia on the history of what we extravagantly call 'the world's greatest deliberative body'.

"I was astounded some years ago when I read in a Senate history book how very few United States Senators there have been. I asked Senator Byrd if that could be true; he said it was. So I began then to keep track of little things myself, and you may be surprised that, including all of the new Senators elected last November, there have been only 18 hundred 46 Senators in the more than 200 years since the first U.S. Senate convened.

"I am the 1,675th to serve in the Senate--and the 45th from North Carolina. My able and distinguished colleague, Senator Faircloth is No. 50 from North Carolina.

"I have had the privilege of serving with six North Carolina colleagues, Senator Ervin being the first.

"I was so honored to be Senator Sam's junior colleague for the two final years before his retirement in 1975.

"What a great man he was, and how I shall forever be grateful for his time in helping me understand the absolute necessity of my being on guard when the constitutional rights of the American people are at risk--which they are so very often.

"Senator Ervin held in disdain what he called 'those ignorant negotiators who are always so willing to surrender the constitutional rights of the American people while agreeing to treaties that don't make sense'.

"He often shook his head and quoted Will Rogers who once declared that the United States had never lost a war nor won a treaty.

"Senator Sam complained that he doubted that any North Carolina newspaper editor had ever read a treaty before rushing into print with an endorsement of it. He quoted Lum Garrison, a beloved town character in Morganton as saying, 'Sam, pay no attention to them editors. They don't know nothin'--and they've got <u>that</u> all tangled up'.

"I never met Lum Garrison, but he was certainly right on target.

"One other bit of history about the Senate, and a sad chapter, it was. North Carolina set a record in the ten years between the late forties and the late 1950's. Our state was represented by ten Senators in ten years, beginning with the death of Senator Josiah Bailey who was succeeded by Senator Umstead (who later served as Governor). Senator Umstead was defeated by Senator Broughton, who died five months after taking office. Senator Frank Graham served about 2 years after being appointed. Senator Graham, was defeated by Senator Willis Smith, who died in office in 1953 and was succeeded by Senator Alton Lennon, who was defeated the next year by Senator Kerr Scott, who died early in office and was succeeded by Senator B. Everett Jordan who served until 1972 when he was defeated in the primary by Congressman Galiafinakis who himself was defeated in the General Election of 1972. (I forget who succeeded Mr. Galifianakis.)

"While all of that was happening, the remarkable former North Carolina Governor and U. S. Senator Clyde R. Hoey died in 1954 after serving about 20 years. (He was succeeded by Senator Sam, who served exactly 20 years until 1974.)

"Your honoring me today reminds me of the story Ronald Reagan often told when he was being honored--a story about the leading citizen of a town in Texas--an elderly man who owned and controlled just about everything in town. On the 47th anniversary of the man's arrival, the town's Chamber of Commerce staged a big celebration, with dinner on the grounds, the high school's marching band and flags and decorations featuring pictures of the honored citizen.

"There were speeches of tribute to the gentleman, following which all eyes fastened on him, obviously expecting him to step up to the podium to respond, which he did.

"Nostalgically he recalled how he had walked into town on his 40th birthday, pointing to yon highway. 'That', he said wistfully, 'was just a dusty road then; there were only a few stores, a small hotel, a blacksmith, a stable for horses, and a saloon'.

"The old gentleman wiped tears from his eyes as he recalled: 'I came here', he said, 'with everything I owned tied up in a red bandanna tied on the end of a long stick on my shoulder'. He choked up as he described how the citizens of the community had welcomed him here and helped him begin all sorts of successful businesses which, as he put it, he started from scratch.

"Then he made his way back to his seat as a little boy, who had listened intently, slipped around the crowd, up on the grandstand to the old gentleman's side, and whispered, 'Sir, what did you have in that red bandanna?'

"The old gentleman motioned for the little boy to come close, then whispered: 'Five hundred thousand dollars in cash, and 600 thousand in negotiable securities.'

"I don't know about here but in the place where I work, there's a sort of artificial anticipation about the impending arrival of the 20th Century, a sort of unspoken presumption that things will automatically be better, problems will be solved, the federal budget will be balanced, and everybody will live happily ever after.

"None of the above is true--and, anyhow, I am not one who believes that the 20th Century should be discarded and forgotten.

"Why? Because we are concluding probably the most remarkable century in the history of mankind.

"So many wonderful things have happened since the 19th Century wound down. There would have been even more wonderful things if the politicians had not so often tossed aside the basic philosophies on which our Founding Fathers endowed this fledgling nation with moral and spiritual principles that deserved to survive. (It's important to remember that this nation was born after those Founding Fathers prayed to our Creator for guidance.)

"My dear friends, if you don't remember anything else I say here this morning, please remember this: Unless and until the American people demand the restoration of those moral and spiritual priorities, I simply do not believe that we're going to solve any other problems either.

"We live at a time when a vast percentage of Americans have been misled into believing that an all-powerful government can solve the problems of mankind. Big government cannot and will not solve the multitude of problems confronting our nation ... because big government is the problem.

"That's no platitude, that's no song-and-dance political rhetoric. The major problems confronting the American people began with small compromises by politically-ambitious souls who were focused on the next election instead of the next generation.

"Let me ask: Was not Thomas Jefferson clear and precise when he counseled that the least government is the best government? The other side of that coin is that a government big enough to give you everything you want is powerful enough to take everything you've got.

"Was FDR not correct when, while signing into law the Social Security Act in the 1930s, he warned that Social Security must never be converted into a political football?

"Was MacArthur not correct when he counseled that the United States must never involve itself in a ground war in Southeast Asia?

"Or, when Britain's prime minister, Neville Chamberlain, traveled to Munich to sit down and make a deal with Adolf Hitler? Mr. Chamberlain returned triumphantly to London proclaiming that there would be 'peace in our time'. The London newspapers praised Chamberlain for what they viewed as an extraordinary achievement of peace.

"But wait. There was one strong voice of dissent -- the voice of Winston Churchill who, when the Nazi bombs began to rain down on Britain, was called upon to lead his fellow countrymen into what proved to be Britain's finest hour in courageously standing together in fighting Hitler's tyranny.

"The 20th Century produced men and women of courage and wisdom and creativity far beyond previous times. Think of those few seconds in the air that enabled the Wright Brothers to lead us with that first brief step into the jet age; the astronauts on the moon and flying machines that already outdo anything Buck Rogers had in mind.

"Think of the advances in medicine. How many of us here this morning would not be here had it not been for the development and discovery of medical miracles and surgical procedures that are almost commonplace today.

"But this has also been the century of some tragic errors. Consider the enormity of the federal debt which stands at five trillion, 400 billion dollars.

"And there are countless other aspects that are of great concern about the kind of world our children and grandchildren will have.

"My first two years in the Senate, marked a great debate about slapping tough controls on U. S. oil producers. At that time, you should be reminded, that

if you were willing to pump the gasoline into your car, the price was 28 to 30 cents a gallon. The U. S. was exporting oil to other countries at that time.

"So Congress slapped on the controls (I voted against them) and the U. S. oil producers couldn't make a profit--so down came their rigs all over the place, and the American people had to turn to foreign oil producers.

"And guess what! Today, about 58 percent of the gasoline used by Americans is refined from imported oil. (Last week, we imported about seven million barrels of oil, mostly from the Middle East!)

"And it is becoming increasingly worse. Before the Persian Gulf War, the United States obtained about 35 percent of its oil from foreign countries. Now its 58 percent and climbing.

"Now suppose Iran and Iraq somehow manage to take over the Middle East oil supply--does anyone doubt that the first thing Iran and Iraq will do is blackmail the United States with a cut-off of oil shipments to the United States? (Imagine what would happen if our oil supply were cut off!)

"Back in my television days, I had a feature called 'odds and ends from the miscellaneous file'. I promise I won't do much of that this morning, but there are a couple of odds and ends that you may want to think about.

"You recall, I hope, my long time fight to cut the wasteful cost of operating our foreign policy apparatus. (What do you know, Al Gore and Madeleine Albright now agree with me!)

"Anyhow, there are three duplicative, hopelessly wasteful agencies, created as 'temporary' federal agencies back in the 1950s. Every year, these three agencies have grown like topsy in cost (and arrogance) and have become fiefdoms for the entrenched bureaucrats who head them.

"Remember, now--they were advertised as purely 'temporary' federal agencies when they were created about 40 years ago. (It's like Ron Reagan used to say: 'There's nothing so near eternal life as a temporary federal agency'.)

"One of the three agencies which I intend to abolish as one of those 'independent fiefdoms' is the Agency for International Development--the foreign aid give-away agency which has cost the American taxpayers two trillion dollars in taxes. (When you factor in the fact that all of these

give-away funds have been money borrowed by the federal government) you see the enormous cost of compounded interest rolled-over, year after year.

"To illustrate how arrogant these bureaucrats can be, in the face of the obvious fact that even Bill Clinton has finally made clear that he intends to support my downsizing the State Department and the 'independent agencies'--the foreign aid give-away crowd (the AID) has agreed to a lease for 605,000 square feet of office space in the newest and most expensive office building in Washington. The taxpayers will have to foot the bill for an average of $43.84 per square foot--or $26 million 554 thousand dollars a year to pay the rent for this 'temporary' agency, which has already spent $30,645,166 for furniture, telephones, etc.

"I have run too long and I must conclude. But before I do (and as I do) ladies and gentlemen, leaders of North Carolina and your guests, I came not here to convert this distinguished podium into a pretentious holier-than-thou lecture. Perhaps I should apologize for my having alluded to my personal convictions about the destiny of America.

"But, like you, I have sought for, fought for, and voted for, ways to do the best I can to restore the soul of America. You are great North Carolinians and great Americans because you love this State and because you love America.

"It is frustrating--isn't it?--to try to turn things around--to restore moral and spiritual principles that made our country great in the first place, and to realize that our efforts are not working.

"I find myself contemplating, and perhaps you do, too, that great French statesman, economist, diplomat and author, Alexis deToqueville, who in the middle of the 19th Century became increasingly fascinated with that then fledgling nation across the Atlantic, called America.

"How, he asked himself, did this America so quickly grow into the status of a world leader?

"How did this meteoric rise to world leadership come about?

"Such questions led deToqueville to make several trips to America in the mid-19th Century to discover the genius of this remarkable land. When he came, he visited the cities and the villages, the factories and the farmlands, the fishermen, tradesmen, the miners, the few colleges and universities.

"Everywhere he looked he saw nothing remarkably different from his home country.

"That is, he said later, he didn't see it until he went into the churches of America, and saw the men, women and children on their knees in prayer, asking for forgiveness, praying for direction by their God, praying in repentance for their sins.

"There, deToqueville said, is where I found the genius of America--people wanting and trying to be good and God-fearing.

"So, deToqueville wrote:

"'For so long as America is a good nation, America will continue to be a great nation'.

"But, Alexis deToqueville warned, when America ceases to be good, America will cease to be great.

"We can never say that we weren't given fair warning. Thank you, my dear friends.

"God bless you--and God Bless America."

Upon completion of his address, Senator Helms is escorted from the House Chamber.

On motion of Senator Basnight, seconded by Representative Black, the Joint Session is dissolved. The Senate stands adjourned.

The House resumes its business.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Brown for the Committee on Agriculture:

H.B. 998, A BILL TO BE ENTITLED AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE

FUNDS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

Committee Substitute for **S.B. 508,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TURKEY GROWER SHALL NOT BE DISQUALIFIED FROM USE VALUE TAXATION FOR A TWO-YEAR PERIOD IF THE GROWER'S LAND IS TAKEN OUT OF PRODUCTION SOLELY BECAUSE OF THE PRESENCE OF TURKEY DISEASE IN THE AREA, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 430,** A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE PROFESSION OF INDUSTRIAL HYGIENISTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 953, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME CORPORATIONS MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Berry for the Committee on Welfare Reform:

Committee Substitute for **S.B. 1015,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE WELFARE REFORM ACT OF 1997, with a

favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 727,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, BY CLARIFYING THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, BY INCREASING COURT FEES IN CRIMINAL CASES, AND BY INCREASING THE FEES FOR FILING CERTAIN DOCUMENTS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of May 28. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 1232, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ADOLPH LORENZ DIAL, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 1234, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BRADFORD VERDIZE LIGON, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

Committee Substitute for **S.B. 866,** A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPETITION, CHOICE, AND AVAILABILITY IN THE PURCHASE OF PRESCRIPTION DRUGS AND PHARMACEUTICAL SERVICES, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Insurance, Subcommittee on Health.

Without objection, the bill is re-referred to the Committee on Insurance, Subcommittee on Health.

Committee Substitute for **S.B. 993,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMMISSIONER OF INSURANCE TO ADOPT RULES TO PROTECT THE RIGHTS OF SUBSCRIBERS AND CERTIFICATE HOLDERS IN THE RESERVES AND CAPITAL OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS UPON CONVERSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of May 28. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The House stands adjourned at 4:35 p.m.

SIXTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 28, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"God of Mercy, this midday moment of silence is a welcome gift. Many of us have been busy running from meeting to meeting dodging the bullets of time, energy, fatigue, and the roller coaster of emotions. Solitude is one of those gifts that we never can seem to find, and when we do, we tend to find excuses to ignore our need for quietness and respite. Let us

find true peace, if only in this moment, to quiet our weary souls. Bless the work that we have begun this day, make good their defects, and let us finish our work and our day in a way that is pleasing to You. Grant us Your mercy, we humbly pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-1).

Leaves of absence are granted Representatives Alexander, Creech, Cunningham, and Nichols for today. Representatives Dockham, Gray, Hill, and Mercer are excused for a portion of the session.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 914, AN ACT TO REVISE THE REIMBURSEMENT METHODOLOGY FOR HOSPITAL CHARGES UNDER WORKERS' COMPENSATION.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 643, AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 17, AN ACT TO REPEAL AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY. (S.L. 1997-85)

H.B. 51, AN ACT TO GIVE MUNICIPALITIES IN BUNCOMBE COUNTY GENERAL LAW POWERS AS TO DOWNTOWN DEVELOPMENT PROJECTS. (S.L. 1997-86)

H.B. 75, AN ACT CODIFYING THE METHOD OF ELECTING THE PERSON COUNTY BOARD OF EDUCATION AS ORDERED BY THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA. (S.L. 1997-87)

H.B. 281, AN ACT TO PROVIDE THAT THE ALEXANDER COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS. (S.L. 1997-88)

H.B. 288, AN ACT TO ALLOW SERVICE OF COMPLAINTS BY PUBLICATION AND SERVICE OF NOTICES AND ORDERS BY REGULAR MAIL IN HOUSING CODE CASES IN THE CITY OF GREENSBORO. (S.L. 1997-89)

H.B. 298, AN ACT INCREASING FROM FIVE TO SEVEN THE MEMBERSHIP OF THE COLUMBUS COUNTY AIRPORT AUTHORITY. (S.L. 1997-90)

H.B. 526, AN ACT TO AUTHORIZE THE TOWN OF WRIGHTSVILLE BEACH TO CREATE A SEA TURTLE SANCTUARY. (S.L. 1997-91)

H.B. 569, AN ACT TO CLARIFY THAT IN ELECTIONS TO FILL VACANCIES ON THE WENDELL TOWN BOARD FOR THE REMAINDER OF THE UNEXPIRED TERM, THE NEXT HIGHEST VOTE GETTER RECEIVES A TWO-YEAR TERM, RATHER THAN HAVING A SEPARATE ELECTION ON THE BALLOT. (S.L. 1997-92)

H.B. 806, AN ACT TO ALLOW THE CITY OF CONOVER TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE. (S.L. 1997-93)

H.B. 877, AN ACT TO ADD, FOR THE TOWN OF KURE BEACH ONLY, EROSION CONTROL MEASURES TO THE LIST OF PUBLIC ENTERPRISES THAT CITIES HAVE FULL AUTHORITY TO PROTECT AND REGULATE. (S.L. 1997-94)

S.B. 47, AN ACT TO PROHIBIT THE RECKLESS USE OF A FIREARM OR BOW AND ARROW AND TO REGULATE HUNTING FROM THE RIGHT-OF-WAY IN WASHINGTON COUNTY. (S.L. 1997-95)

S.B. 64, AN ACT TO AMEND THE CHARTER OF THE TOWN OF TARBORO TO PERMIT MEMBERS OF THE TOWN COUNCIL TO ENTER INTO UNDERTAKINGS OR CONTRACTS WITH THE TOWN UNDER CERTAIN CIRCUMSTANCES. (S.L. 1997-96)

S.B. 121, AN ACT TO INCLUDE BUNCOMBE, MADISON, MCDOWELL, AND YANCEY COUNTIES IN THE STATEWIDE SEASONS FOR TAKING BEAVER. (S.L. 1997-97)

S.B. 290, AN ACT TO AMEND THE CHARTER OF RUTHERFORDTON CONCERNING THE DISTRIBUTIONS OF PROFITS FROM THE LOCAL ALCOHOLIC BEVERAGE CONTROL SYSTEM. (S.L. 1997-98)

S.B. 322, AN ACT TO REQUIRE THAT PETITIONS TO QUALIFY INDEPENDENT CANDIDATES ON THE BALLOT FOR COUNTY OFFICE IN AVERY COUNTY RECEIVE THE MINIMUM AMOUNT OF SIGNATURES FROM EACH PRECINCT. (S.L. 1997-99)

H.B. 65, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CANTON. (S.L. 1997-100)

H.B. 70, AN ACT TO GRANT AUTHORITY TO THE CITY OF ROANOKE RAPIDS TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND. (S.L. 1997-101)

H.B. 603, AN ACT TO AUTHORIZE MADISON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (S.L. 1997-102)

H.B. 629, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY AND TO MODIFY THE LAW LIMITING THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY. (S.L. 1997-103)

H.B. 828, AN ACT AMENDING THE CHARTER OF THE CITY OF WILSON TO INCREASE THE SETTLEMENT AUTHORITY OF THE CITY MANAGER. (S.L. 1997-104)

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 508,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT ON THE UPPER CATAWBA RIVER, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 29.

Senate Committee Substitute for **H.B. 1024,** A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE LICENSING OF CERTAIN SUBSIDIARIES OF INSURERS OWNED OR CONTROLLED BY FOREIGN GOVERNMENTS, is returned for concurrence in Senate committee substitute and placed on the Calendar of May 29.

Committee Substitute for **S.B. 466,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM STATE INCOME TAX ALL OF THE ANNUAL INVESTMENT INCOME EARNED BY CONTRIBUTORS ON DEPOSITS IN THE PARENTAL SAVINGS TRUST FUND AS WELL AS THE DISTRIBUTIONS TO BENEFICIARIES OF THAT FUND, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 784,** A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND SIMPLIFICATION BY CONFORMING STATE TAX LAW TO THE FEDERAL RULE THAT GRANTS A FILING EXTENSION EVEN IF THE REQUEST IS NOT ACCOMPANIED BY PAYMENT, is read the first time and referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Weatherly for the Committee on State Government:

S.B. 816, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE NEED TO OBTAIN PRIOR APPROVAL FROM THE WILDLIFE RESOURCES COMMISSION TO RAISE YELLOW PERCH COMMERCIALLY IN SOME AREAS OF THE STATE AND TO ALLOW ALLIGATORS TO BE RAISED COMMERCIALLY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute No. 2 for **H.B. 1097,** A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA, with a favorable report as to Committee Substitute Bill No. 3, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), Committee Substitute Bill No. 3 is placed on the Calendar. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 157,** A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO INCREASE THE FEE CORPORATIONS MUST PAY FOR REINSTATEMENT AFTER ADMINISTRATIVE DISSOLUTION, TO ESTABLISH A FEE LIMITED LIABILITY COMPANIES MUST PAY FOR REINSTATEMENT AFTER ADMINISTRATIVE DISSOLUTION, TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS. with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 69, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY

BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute for **S.B. 378,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO CONTRACT FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 390, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 437, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 29.

S.B. 464, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN, BUT WHO CANNOT BE SERVED BY THE PUBLIC OFFICER AFTER EXERCISING REASONABLE DILIGENCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 29.

S.B. 499, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT ORDINANCES RELATING TO THE PARKING OR STANDING OF MOTOR VEHICLES NEAR FIRE HYDRANTS AND FIRE STATIONS AND IN FIRE LANES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of May 29.

Committee Substitute for **S.B. 513,** A BILL TO BE ENTITLED AN ACT TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF OAKBORO IN STANLY COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1110, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTES RELATED TO LANDSCAPE ARCHITECTS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS BY REQUIRING CONTRACTS FOR THE RENTAL OF SELF-SERVICE STORAGE TO CLEARLY STATE THE TERMS REGARDING THE IMPOSITION OF LATE FEES AND TO LIMIT THE RATE OF LATE FEES, with a favorable report as to committee substitute

bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 892, A BILL TO BE ENTITLED AN ACT TO LIMIT THE RIGHT OF CERTAIN SHAREHOLDERS TO DISSENT FROM CORPORATE ACTIONS AND TO AMEND THE LAW GOVERNING OFFERS OF PAYMENT TO DISSENTERS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Sexton and Buchanan, Co-Chairs, for the Committee on Transportation:

Committee Substitute for **S.B. 417,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Miner, Senior Ranking Member and Co-Chair, for the Standing Committee on Commerce, refers:

H.B. 1126, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX, to the Permanent Subcommittee on Public Utilities.

S.B. 329, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT STATE SAVINGS BANKS USE THE LETTERS "SSB" OR THE WORDS "SAVINGS BANK" IN THEIR LEGAL NAME IN ORDER TO CONFORM WITH THE REQUIREMENTS APPLICABLE TO FEDERAL SAVINGS BANKS, to the Permanent Subcommittee on Financial Institutions.

Committee Substitute for **S.B. 330,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SAFE-DEPOSIT BOXES, to the Permanent Subcommittee on Financial Institutions.

Committee Substitute for **S.B. 312,** A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES, to the Permanent Subcommittee on Financial Institutions.

Committee Substitute for **S.B. 486,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF ESTABLISHMENTS THAT ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES, to the Permanent Subcommittee on Business and Labor.

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

Committee Substitute for **H.B. 335,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO; and

Committee Substitute for **H.B. 631,** A BILL TO BE ENTITLED AN ACT RELATING TO FORSYTH COUNTY.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 914, AN ACT TO REVISE THE REIMBURSEMENT METHODOLOGY FOR HOSPITAL CHARGES UNDER WORKERS' COMPENSATION.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 643, AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 112,** A BILL TO BE ENTITLED AN ACT TO CREATE A SAFETY ZONE AROUND PUBLIC AND PRIVATE SCHOOLS IN CAMDEN COUNTY BY PROHIBITING HUNTING OR THE DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY OF PUBLIC ROADS WITHIN ONE-HALF MILE OF A SCHOOL.

On motion of Representative Owens, the House concurs in the Senate committee substitute, by electronic vote (108-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 977,** A BILL TO BE ENTITLED AN ACT TO ALLOW PARENTS TO ELECT THE PARENTS WHO SERVE ON SCHOOL IMPROVEMENT TEAMS.

On motion of Representative Jeffus, the House concurs in the Senate committee substitute, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 53,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE 82ND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES.

On motion of Representative Warner, the House concurs in the Senate committee substitute, by electronic vote (109-2), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 704,** A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL REGISTRATION PLATES FOR SHERIFFS.

On motion of Representative Thompson, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (109-2), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 529,** A BILL TO BE ENTITLED AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF HOPE MILLS AND WEAVERVILLE, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Allred, Arnold, Baddour, Baker, Barbee, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps,

Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Alexander, Creech, Cunningham, Hill, and Nichols - 5.

S.B. 58, A BILL TO BE ENTITLED AN ACT TO ADD BURKE, CALDWELL, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

Representative Allred offers Amendment No. 1 which is adopted by electronic vote (112-0). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (106-0). The caption having been amended, the bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hackney and without objection, House Committee Substitute for **S.B. 153,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE FOR FIVE MORE YEARS, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is withdrawn from the Calendar and placed on the Calendar of June 2.

CALENDAR (continued)

Committee Substitute for **H.B. 495,** A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE

NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Alexander, Creech, Cunningham, Hill, and Nichols - 5.

S.B. 626, A BILL TO BE ENTITLED AN ACT TO ESTABLISH IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES THE OFFICE OF WOMEN'S HEALTH.

Representative Adams offers Amendment No. 1 which is adopted by electronic vote (109-1).

The bill, as amended, passes its third reading, by electronic vote (91-20), and is ordered sent to the Senate for concurrence in House amendment.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LUMBERTON ECONOMIC DEVELOPMENT AND TOURIST DISTRICT AND TO AUTHORIZE THE ISSUANCE OF CERTAIN ABC PERMITS IN THIS TYPE OF DISTRICT.

Representative Decker offers Amendment No. 2 which is adopted by electronic vote (111-1).

Representative Sutton calls the previous question on the passage of the bill and the call is sustained by electronic vote (85-27).

The bill, as amended, passes its third reading, by electronic vote (63-46), and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 130,** A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN THEIR RESPECTIVE SPHERES OF INFLUENCE, passes its second reading, by electronic vote (99-12), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO RETAIN POSSESSION OF TOWED VEHICLES UNTIL THE OWNER PAYS THE TOWING FEE AND OVERDUE TICKETS OR POSTS A BOND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 727,** A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS

SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE.

Representative Luebke moves that Rule 31(d) be suspended in order that he might offer an amendment which would change the title. The motion fails by electronic vote (54-61).

Representative Allred offers Amendment No. 1.

On motion of the Chair, the bill is temporarily displaced.

On motion of the Chair, the House recesses at 3:47 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 871, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE CITY OF GOLDSBORO AND HONORING THE MEMORY OF MAJOR MATTHEW TILGHMAN GOLDSBOROUGH.

On motion of Representative Morgan, the rules are suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House.

H.R. 1202, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF J. HAYWOOD ALLEN, SR., FORMER SHERIFF OF CLEVELAND COUNTY, with recommendation that it be adopted.

Pursuant to Rule 36(a), the resolution is placed on today's Calendar for immediate consideration.

The resolution is adopted, by electronic vote (111-0), and is ordered printed.

CALENDAR (continued)

House Committee Substitute for **S.B. 727,** A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, with Amendment No. 1 pending, is before the Body.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (75-32).

Amendment No. 1 fails of adoption by electronic vote (35-73).

Representative Michaux inquires of the Chair, if pursuant to Rule 24.1B, Rule 62, and Section 315 of Mason's Manual, the measure could be divided.

The Speaker rules that Rule 24.1B speaks to the division of amendments, and under the Rules the bill is not divisible.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (75-34).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 106.

Voting in the negative: Representatives Berry, Bonner, Gamble, McCombs, Owens, and Wright - 6.

Excused absences: Representatives Alexander, Blue, Creech, Cunningham, and Nichols - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1157, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTES OF LIMITATIONS FOR TAX REFUNDS, TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, AND TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES, passes its second reading, by electronic vote (100-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 769,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES.

Representative Baddour offers Amendment No. 1 which is adopted by electronic vote (109-0).

Representative Sherrill calls the previous question on the passage of the bill and the call is sustained by electronic vote (74-28).

The bill, as amended, passes its second reading by electronic vote (80-27).

Representative Redwine objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 554, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 896,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE PRACTICE OF LAW BY ATTORNEYS REPRESENTING CORPORATIONS.

On motion of Representative Neely and without objection, the bill is postponed until June 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1057, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES.

Representative Grady calls the previous question on the passage of the bill and the call is sustained by electronic vote (86-20).

The bill passes its second reading, by electronic vote (99-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 811, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SOUTHEASTERN NORTH CAROLINA REGIONAL ECONOMIC DEVELOPMENT COMMISSION TO HIRE AND CONTRACT FOR PERSONNEL, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 119, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO REMOVE THE SUNSET ON THE STATE PORTS TAX CREDIT AND TO RAISE THE MAXIMUM CUMULATIVE CREDIT TO FIVE MILLION DOLLARS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

House Committee Substitute for **S.B. 993,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURES FOR CONVERSIONS BY HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS.

Representative Neely requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Gamble, the bill is postponed until June 3 by electronic vote (92-13).

On motion of Representative Morgan, seconded by Representative Gardner, the House adjourns at 6:30 p.m. to reconvene May 29 at 1:00 p.m.

SEVENTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 29, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"God of Grace, the lives that You give us to live are so very fragile. We like to think that we are invincible and beyond destruction, but these earthly tents of ours often break down. Our spiritual lives are like that, too. We live day to day, forgetting to tend to the real 'stuff' that we are made of, until tragedy happens and only then does reality hit us with what is really important in life. As we sit here, day in and day out, passing bills and resolutions and making laws, help us to remember the fragility of life. Help us to remember the faces and the hands that we shook when You called us to become servants of Your people. We remember, this afternoon, our brothers and sisters in Texas who were devastated by the tornadoes. As victims of Hurricane Fran, we can empathize and we can pray for recovery for those people. In all of our thoughts and prayers, help us to pray for the recovery of the real 'stuff' that makes life special, the real priorities of life, so that everything false will pass away, and that true peace might be found.

"All this we humbly pray in the name of Almighty God. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (86-0).

Leaves of absence are granted Representatives Creech and Cunningham for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 554, AN ACT TO REMOVE THE SUNSET.

S.B. 811, AN ACT TO AUTHORIZE THE SOUTHEASTERN NORTH CAROLINA REGIONAL ECONOMIC DEVELOPMENT COMMISSION TO HIRE AND CONTRACT FOR PERSONNEL.

S.B. 814, AN ACT TO PROVIDE FOR IN-STAND SALES OF ALCOHOLIC BEVERAGES IN CERTAIN STADIUMS, BALLPARKS, AND SIMILAR PUBLIC PLACES.

H.B. 53, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE 82ND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES.

H.B. 477, AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO ADMINISTER COMPUTER-BASED EXAMINATIONS AND TO KEEP CERTAIN RECORDS CONFIDENTIAL.

H.B. 704, AN ACT TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR CURRENT SHERIFFS AND CERTAIN RETIRED SHERIFFS.

H.B. 871, AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE, TO PERMIT EMPLOYERS SUBJECT TO THE STATE MINIMUM WAGE TO TAKE THE SAME TIP CREDIT AS FEDERALLY COVERED EMPLOYERS, AND TO EXEMPT COMPUTER PROFESSIONALS FROM MINIMUM WAGE AND OVERTIME PROVISIONS.

H.B. 977, AN ACT TO ALLOW PARENTS TO ELECT THE PARENTS WHO SERVE ON SCHOOL IMPROVEMENT TEAMS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 130, AN ACT AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN THEIR RESPECTIVE SPHERES OF INFLUENCE.

S.B. 282, AN ACT TO ALLOW THE CITY OF CHARLOTTE TO RETAIN POSSESSION OF TOWED VEHICLES UNTIL THE OWNER

PAYS THE TOWING FEE AND OVERDUE TICKETS OR POSTS A BOND.

H.B. 112, AN ACT TO CREATE A SAFETY ZONE AROUND PUBLIC AND PRIVATE SCHOOLS IN CAMDEN COUNTY BY PROHIBITING HUNTING OR THE DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY OF PUBLIC ROADS WITHIN ONE-HALF MILE OF A SCHOOL.

CHAPTERED BILLS

The following bills and resolutions are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 871, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE CITY OF GOLDSBORO AND HONORING THE MEMORY OF MAJOR MATTHEW TILGHMAN GOLDSBOROUGH. (RESOLUTION 14)

H.B. 643, AN ACT TO AUTHORIZE THE CITY OF BELMONT TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION. (S.L. 1997-105)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED SPORTSMEN, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 1064,** A BILL TO BE ENTITLED AN ACT TO ALLOW A TAXPAYER WHO PREVAILS IN A PROPERTY

TAX APPEAL TO RECEIVE INTEREST ON ANY OVERPAYMENT OF TAX AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS PROPERTY TAX ISSUES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

S.B. 142, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 429, A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 524,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CONOVER TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 535,** A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF CHEROKEE, CLAY, GUILFORD, MACON, AND POLK COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

S.B. 69, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION;

S.B. 186, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN ALLEGHANY COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES; and

S.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative Hill, Chair, for the Permanent Subcommittee on Local, Regional, and State Revenues:

S.B. 453, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, reported to the Standing Committee on Finance with no action taken.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Gray, Brown, Decker, Esposito, Oldham, Sexton, and Womble:

H.J.R. 1235, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDGAR M. "LONESOME ED" MCKNIGHT, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 508,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT ON THE UPPER CATAWBA RIVER.

On motion of Representative Brawley, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-0), and the bill is ordered enrolled.

Representative Hardy states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (109-0).

Senate Committee Substitute for **H.B. 1024,** A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE LICENSING OF CERTAIN SUBSIDIARIES OF INSURERS OWNED OR CONTROLLED BY FOREIGN GOVERNMENTS.

On motion of Representative Hurley, the House concurs in the Senate committee substitute, by electronic vote (112-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 58, A BILL TO BE ENTITLED AN ACT TO ADD ALAMANCE, BEAUFORT, BURKE, CALDWELL, CASWELL, CRAVEN, CUMBERLAND, HYDE, ORANGE, PITT, ROCKINGHAM, UNION, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

Representative R. Hunter offers Amendment No. 2 which is adopted by electronic vote (112-0). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 437,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, is withdrawn from the Calendar and placed on the Calendar of June 2.

CALENDAR (continued)

S.B. 464, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN, BUT WHO CANNOT BE SERVED BY THE PUBLIC OFFICER AFTER EXERCISING REASONABLE DILIGENCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 499, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT ORDINANCES RELATING TO THE PARKING OR STANDING OF MOTOR VEHICLES NEAR FIRE HYDRANTS AND FIRE STATIONS AND IN FIRE LANES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 727,** A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO

ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE.

Representative Allred offers Amendment No. 2 which fails of adoption by electronic vote (57-57).

Representative Fitch moves that Rule 31(d) be suspended in order that he might offer an amendment which would change the title. The motion fails by electronic vote (56-58).

Representative R. Hunter offers Amendment No. 3 which fails of adoption by electronic vote (54-58).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (60-57).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Allred, Berry, Gamble, McCombs, and Owens - 5.

Excused absences: Representatives Creech and Cunningham - 2.

Representative Allred states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (113-4).

Committee Substitute No. 2 for **H.B. 769,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES.

Representative Redwine offers Amendment No. 2 which fails of adoption by electronic vote (53-62).

The bill, as amended, passes its third reading, by electronic vote (91-26), and is ordered engrossed and sent to the Senate.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative McComas for the Permanent Subcommittee on Health of the Standing Committee on Insurance, with approval of standing committee chair for report to be made directly to the floor of the House:

S.B. 785, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON CERTAIN DIRECT PAYMENTS UNDER HEALTH INSURANCE POLICIES AND PLANS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUSPENSION OF RULE

Pursuant to Rule 28(e), the Speaker grants permission to standing committees to meet when the House is not is session.

RE-REFERRAL

On motion of Representative Daughtry, pursuant to Rule 39.2,

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS IN WAKE AND ROCKINGHAM COUNTIES IN THE OFFICE OF THE DISTRICT ATTORNEY FOR THE COLLECTION OF WORTHLESS CHECKS, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Rogers, the House adjourns at 2:09 p.m. in memory of Samuel D. Proctor, to reconvene Monday, June 2, 1997, at 7:00 p.m.

SEVENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, June 2, 1997

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Eternal God, in whose appointment our life stands, and who committed our work to us, we begin our work week together by committing our cares to You. We thank You that we are Your children, and that You have assured us that, while we are intent upon Your will, You will heed our wants. Teach us, O God of every nation and state, to see every question of policy that is before us in the light of our faith, and not in the light of our own search for power. Teach us to check deeply within ourselves, every passion that makes for anger or bitterness between us, all ungenerous judgments, all promptings of self-assurance, and all presumptuous claims. Grant us insight to recognize the needs and aspirations of others whom You have placed in our care, and remove our suspicions and misunderstandings, so that we may honor all people in this state, in this nation, in this world, and above all, that we may honor You. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 29 has been examined

and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-0).

Leaves of absence are granted Representatives Cole, Creech, Dockham, R. Hunter, Ives, Russell, Shubert, Wood, and Wright for today. Representative Alexander is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 891, AN ACT TO UPDATE AND REVISE THE LAWS AFFECTING LOCAL GOVERNMENT CONTRACTING.

H.B. 410, AN ACT ENACTING AND ENTERING INTO THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT.

H.B. 615, AN ACT TO CHANGE THE METHOD OF APPOINTING THE PUBLIC DEFENDER IN DISTRICT 16B.

H.B. 897, AN ACT TO AMEND THE REQUIREMENTS PERTAINING TO THE NUMBER OF MEMBERS OF ADVISORY COMMITTEES OF NURSING HOMES AND REST HOMES.

H.B. 948, AN ACT TO AUTHORIZE THE BOARD OF PHARMACY TO ESTABLISH A RECOVERY AND REHABILITATION PROGRAM FOR PHARMACISTS.

H.B. 966, AN ACT TO PROVIDE FOR OPTIONS IN FLAG AND LIGHT COLORS FOR EXTENDED TRUCKLOADS.

H.B. 1024, AN ACT TO ALLOW FOR THE LICENSING OF CERTAIN SUBSIDIARIES OF INSURERS OWNED OR CONTROLLED BY FOREIGN GOVERNMENTS.

H.B. 1050, AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES TO DONATE UNCLAIMED BICYCLES TO CHARITY.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 464, AN ACT TO ALLOW THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN, BUT WHO CANNOT BE SERVED BY THE PUBLIC OFFICER AFTER EXERCISING REASONABLE DILIGENCE.

S.B. 499, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT ORDINANCES RELATING TO THE PARKING OR STANDING OF MOTOR VEHICLES NEAR FIRE HYDRANTS AND FIRE STATIONS AND IN FIRE LANES.

H.B. 233, AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM NEAR AN ELEMENTARY OR SECONDARY SCHOOL IN VANCE COUNTY.

H.B. 508, AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT ON THE UPPER CATAWBA RIVER AND TO PROVIDE FOR NO WAKE ZONES ON LAKE NORMAN.

H.B. 548, AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 130, AN ACT AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE TO EXERCISE EXTRATERRITORIAL JURISDICTION WITHIN THEIR RESPECTIVE SPHERES OF INFLUENCE. (S.L. 1997-106)

S.B. 282, AN ACT TO ALLOW THE CITY OF CHARLOTTE TO RETAIN POSSESSION OF TOWED VEHICLES UNTIL THE OWNER PAYS THE TOWING FEE AND OVERDUE TICKETS OR POSTS A BOND. (S.L. 1997-107)

H.B. 112, AN ACT TO CREATE A SAFETY ZONE AROUND PUBLIC AND PRIVATE SCHOOLS IN CAMDEN COUNTY BY PROHIBITING HUNTING OR THE DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY OF PUBLIC ROADS WITHIN ONE-HALF MILE OF A SCHOOL. (S.L. 1997-108)

H.B. 57, AN ACT TO REQUIRE WITHHOLDING FROM CERTAIN PAYMENTS TO NONRESIDENTS IN ORDER TO PREVENT NON-RESIDENTS FROM AVOIDING NORTH CAROLINA INCOME TAXES, TO MODIFY THE DEFINITION OF EMPLOYMENT WITH RESPECT TO AGRICULTURAL LABOR, AND TO CONFORM TO FEDERAL RULES ON WAGE WITHHOLDING BY FARMERS. (S.L. 1997-109)

S.B. 1023, AN ACT TO AMEND THE POWERS AND DUTIES OF THE DEPARTMENT OF HUMAN RESOURCES TO REQUIRE THE DEPARTMENT TO ACT ON REQUESTS FOR WAIVERS TO COMMISSION OF HEALTH SERVICES RULES AND TO REPORT TO THE GENERAL ASSEMBLY ON PROGRESS AND RECOM-MENDATIONS TO IMPROVE THE PROCESS FOR THE GRANTING OR DENIAL OF APPLICATIONS FOR LICENSURE AND WAIVERS. (S.L. 1997-110)

H.B. 474, AN ACT TO CLARIFY WHICH PREINDUCEMENT EXPENDITURES MAY BE FINANCED WITH INDUSTRIAL REVENUE BONDS. (S.L. 1997-111)

H.B. 122, AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE AND THE CHIEF OF THE GENERAL ASSEMBLY POLICE TO PROVIDE FOR THE EVACUATION OF STATE AND LEGISLATIVE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS. (S.L. 1997-112)

H.B. 153, AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE". (S.L. 1997-113)

H.B. 204, AN ACT TO RAISE THE FORECLOSURE FILING FEES. (S.L. 1997-114)

H.B. 1098, AN ACT TO AMEND THE PROCEDURE FOR MEDIATION OF SPECIAL EDUCATION DISPUTES. (S.L. 1997-115)

H.B. 522, AN ACT TO AMEND THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION. (S.L. 1997-116)

H.B. 771, AN ACT TO ALLOW THE BOARD OF A SANITARY DISTRICT WITH FOUR-YEAR TERMS THAT ARE NOT STAGGERED TO PROVIDE FOR STAGGERED TERMS. (S.L. 1997-117)

S.B. 34, AN ACT TO ADJUST THE SHARE THE CITIES RECEIVE FROM THE STATE GROSS RECEIPTS TAX TO MAKE THE DISTRIBUTION MORE EQUITABLE AND TO ALLOW THE DEPARTMENT OF REVENUE TO GIVE CITY FINANCE OFFICIALS INFORMATION NEEDED TO VERIFY THE ACCURACY OF A CITY'S DISTRIBUTION. (S.L. 1997-118)

H.B. 202, AN ACT TO INCREASE THE MINIMUM AMOUNT BY WHICH AN UPSET BID ON REAL PROPERTY IN JUDICIAL SALES AND EXECUTION SALES MUST EXCEED THE REPORTED SALE PRICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 1997-119)

H.B. 414, AN ACT RELATING TO SEVERANCE PAY FOR THE PURPOSES OF UNEMPLOYMENT INSURANCE BENEFITS. (S.L. 1997-120)

S.B. 106, AN ACT TO ALLOW REGIONAL SALES OF PERSONAL PROPERTY SEIZED FOR UNPAID TAXES TO BE HELD IN ANY COUNTY. (S.L. 1997-121)

S.B. 167, AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION. (S.L. 1997-122)

S.B. 247, AN ACT PERTAINING TO CONFIDENTIALITY OF HEALTH CARE CONTRACTS. (S.L. 1997-123)

S.B. 305, AN ACT TO REINSTATE THE OPTION THAT A LICENSED SOLICITOR OF CHARITABLE SOLICITATIONS MAY SUBMIT A CERTIFICATE OF DEPOSIT IN LIEU OF A SECURITY BOND. (S.L. 1997-124)

S.B. 876, AN ACT TO AMEND THE LAW PERTAINING TO CRIMINAL BACKGROUND CHECKS REQUIRED TO BE OBTAINED BY NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES. (S.L. 1997-125)

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 999,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE SOIL AND WATER

CONSERVATION COMMISSION TO CONDUCT INSPECTIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 3.

Committee Substitute for **S.B. 374,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX NUTRITIONAL SUPPLEMENTS SOLD BY CHIROPRACTORS, is referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

Committee Substitute No. 2 for **S.B. 875,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, TO REVISE THE LAW GOVERNING THE DISPOSITION OF CERTAIN BIRTH AND DEATH CERTIFICATES, AND TO ESTABLISH A STUDY OF LAND TITLE REGISTRATION PROCEDURES, is referred to the Committee on Judiciary I.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 518, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FIVE-YEAR REGISTRATION PLATES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 1059,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT DEALER PLATES ARE USED ONLY ON VEHICLES DRIVEN FOR A BUSINESS PURPOSE OF THE DEALERSHIP AND TO LIMIT THE NUMBER OF TRANSPORTER PLATES THAT MAY BE ISSUED TO A DEALER, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 71,** A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS, FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, AND TO MAKE TECHNICAL CORRECTIONS REGARDING THE REVIEW BY THE LOCAL GOVERNMENT COMMISSION OF CERTAIN LEASES, LEASE PURCHASE CONTRACTS, AND INSTALLMENT PURCHASE CONTRACTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Holmes, Esposito, Creech, and Crawford, Co-Chairs, for the Committee on Appropriations:

Committee Substitute for **S.B. 352,** A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of the Chair, pursuant to Rule 36.2(a), the House committee substitute bill is re-referred to the Committee on Pensions and Retirement. The Senate committee substitute bill is placed on the Unfavorable Calendar.

INTRODUCTION OF PAGES

Pages for the week of June 2 are introduced to the membership. They are: Jonathan Morgan Adams of Guilford; David Graham Brinson of Harnett; Patrick Steven Brown of Mecklenburg; Barbara Lee Cobb of Wake; Katherine Elizabeth Cooke of Wake; John Alton Wesley Crosmun of

Cumberland; Eric Steven Dail of Wayne; Charity Elizabeth Daniel of Wayne; Jeremy David Franklin of Wake; Erika Joy Galluppi of Wake; Michelle Lynn Hemandez of Mecklenburg; Catharine Huisman of Wake; Jessica Elizabeth Kolseth of Ashe; Megan Ruth Kolseth of Ashe; Katherine Lambeth of Mecklenburg; Nora Virginia Macha of Wayne; Jason Christopher Mauney of Mecklenburg; Terra Noel Minerd of Mecklenburg; Kelly Elizabeth Moore of Mecklenburg; Andrea Beth Rockel of Mecklenburg; Micah Gray Sullivan of Wayne; Vance McFadyen Whitaker of Guilford; and Benjamin Hardy Wood of Orange.

CALENDAR

Action is taken on the following:

S.B. 58, A BILL TO BE ENTITLED AN ACT TO ADD ALAMANCE, BEAUFORT, BURKE, CALDWELL, CASWELL, CRAVEN, CUMBERLAND, HYDE, MCDOWELL, ORANGE, PITT, ROCKINGHAM, UNION, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

The bill, as amended, passes its third reading, by electronic vote (96-0), and is ordered sent to the Senate for concurrence in House amendments.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 437, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 153,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE FOR FIVE MORE YEARS, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Howard, H. Hunter, Hurley, Insko, Jarrell, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, and Yongue - 97.

Voting in the negative: Representatives Aldridge and C. Wilson - 2.

Excused absences: Representatives Alexander, Cole, Creech, Dockham, R. Hunter, Ives, Russell, Shubert, Wood, and Wright - 10.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Arnold, Baddour, Barbee, Beall, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Jarrell, Justus, Kinney, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 96.

Voting in the negative: Representatives Allred, Baker, Berry, Gamble, and Kiser - 5.

Excused absences: Representatives Alexander, Cole, Creech, Dockham, R. Hunter, Ives, Russell, Shubert, Wood, and Wright - 10.

Committee Substitute for **S.B. 896,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE PRACTICE OF LAW BY ATTORNEYS REPRESENTING CORPORATIONS.

On motion of Representative Neely, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 936,** A BILL TO BE ENTITLED AN ACT TO PROVIDE PRIORITY IN EMPLOYMENT ASSISTANCE FOR UNITED STATES ARMED FORCES VETERANS, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 869,** A BILL TO BE ENTITLED AN ACT TO TRANSFER TECHNOLOGY-RELATED FUNCTIONS OF STATE GOVERNMENT TO THE DEPARTMENT OF COMMERCE, passes its second reading, by electronic vote (97-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 892,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE RIGHT OF CERTAIN SHAREHOLDERS TO DISSENT FROM CORPORATE ACTIONS AND TO AMEND THE LAW GOVERNING OFFERS OF PAYMENT TO DISSENTERS, passes its second reading by electronic vote (104-2).

Representative Allred objects to the third reading. The bill remains on the Calendar.

On motion of Representative Morgan, seconded by Representative Hensley, the House adjourns at 7:36 p.m. to reconvene June 3 at 2:00 p.m.

SEVENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 3, 1997

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Before we pray, I would like to say that coming with this appointment as your Chaplain, an appointment for which I am very proud and grateful, has come perhaps, a keener awareness of public policy and a deeper awareness of your public responsibility. I liken that responsibility to that of my own having been entrusted by my Bishop with the care of a local congregation. As I have reflected on the awesomeness of these words: trust and responsibility, and in light of the 'Oklahoma City Bombing Verdict', in light of the magnifying glass that has been placed over many different administrations over the years, in light of every public trust that has been given to an elected and appointed official, I am reminded of the phrase, 'the eyes of the world are upon us'. As we head toward the long hours of committee meetings and caucuses and into the budget proceedings and debate, perhaps the eyes of the world aren't upon us. But, each one of us are keenly aware of the fact that the eyes of this State are, indeed, upon us. My prayer for this General Assembly is that with this reflection in the forefront of our minds, and hopefully in our hearts, we would never take for granted the gifts of leadership given to each one of us...Let us pray.

"O God of heaven and earth, You alone are sovereign, and You alone are the supreme ruler of our life. Yet, in Your mercy, You have agreed to share those sacred responsibilities of human government with us. As You rule over us, often times You make decisions that we would rather You had not made, but You knew that Your decision was the best decision for us at

that particular time. We who gather here in this legislative building and hold these seats of public trust risk putting everything on the line with our votes and our responses to the needs of Your people. As we attempt to act and legislate in this same manner on behalf of others, we pray for vision...we pray for the conviction of principle...and we would pray for the courage of living that conviction. Have mercy on us and grant that we may live our lives according to the mercy having been granted to us by You, Almighty God. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (107-1).

Leaves of absence are granted Representatives Creech, Shubert, and Wood for today. Representative C. Wilson is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 869, AN ACT TO TRANSFER TECHNOLOGY-RELATED FUNCTIONS OF STATE GOVERNMENT TO THE DEPARTMENT OF COMMERCE.

S.B. 936, AN ACT TO PROVIDE PRIORITY IN EMPLOYMENT ASSISTANCE FOR UNITED STATES ARMED FORCES VETERANS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 437, AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE.

H.B. 718, AN ACT TO PROVIDE FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES, AND TO ALLOW THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 464, AN ACT TO ALLOW THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN, BUT WHO CANNOT BE SERVED BY THE PUBLIC OFFICER AFTER EXERCISING REASONABLE DILIGENCE. (S.L. 1997-126)

S.B. 499, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT ORDINANCES RELATING TO THE PARKING OR STANDING OF MOTOR VEHICLES NEAR FIRE HYDRANTS AND FIRE STATIONS AND IN FIRE LANES. (S.L. 1997-127)

H.B. 233, AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM NEAR AN ELEMENTARY OR SECONDARY SCHOOL IN VANCE COUNTY. (S.L. 1997-128)

H.B. 508, AN ACT TO PROVIDE FOR ADDITIONAL REGULATION OF PERSONAL WATERCRAFT ON THE UPPER CATAWBA RIVER AND TO PROVIDE FOR NO WAKE ZONES ON LAKE NORMAN. (S.L. 1997-129)

H.B. 548, AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE. (S.L. 1997-130)

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 406,** A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO ADOPT ORDINANCES THAT IMPOSE A CURFEW ON PERSONS UNDER THE AGE OF EIGHTEEN, is returned for concurrence in Senate amendment and placed on the Calendar of June 4.

Committee Substitute for **S.B. 439,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996, is referred to the Committee on Judiciary II.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 376, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TEACHING HOSPITALS AFFILIATED WITH CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO ESTABLISH CAMPUS LAW ENFORCEMENT AGENCIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 393,** A BILL TO BE ENTITLED AN ACT TO MANDATE THE REVOCATION OF A PERSON'S DRIVERS LICENSE OR LIMITED DRIVING PRIVILEGE FOR WILLFUL FAILURE TO COMPLETE COURT-ORDERED COMMUNITY SERVICE AND TO ELIMINATE THE REQUIREMENT FOR JUDICIAL INVOLVEMENT IN THE APPOINTMENT OF COMMUNITY SERVICE COORDINATORS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Barbee for the Committee on Pensions and Retirement:

House Committee Substitute for **S.B. 352,** A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS,

INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, reported without prejudice.

Pursuant to Rule 36(a), the bill is placed on the Calendar of June 4 as a Special Order of Business.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 759, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHATHAM COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY IN CHATHAM COUNTY, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 999,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE SOIL AND WATER CONSERVATION COMMISSION TO CONDUCT INSPECTIONS.

On motion of Representative Rogers, the House concurs in the Senate committee substitute, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 513,** A BILL TO BE ENTITLED AN ACT TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF OAKBORO IN STANLY COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell,

Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: Representative Howard.

Excused absences: Representatives Creech, Shubert, and Wood - 3.

Representative Howard states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". The adjusted vote total is (111-0).

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Tolson and without objection, House Committee Substitute for **S.B. 535,** A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF CHEROKEE, CLAY, GUILFORD, MACON, AND POLK COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, is withdrawn from the Calendar and placed on the Calendar of June 10.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 429,** A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 524,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CONOVER TO SERVE COMPLAINTS

AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

Representative Morgan requests unanimous consent, and **H.J.R. 1232,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ADOLPH LORENZ DIAL, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA.

On motion of Representative Cansler and without objection, the bill is postponed until June 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 3 for **H.B. 1097,** A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA.

Representative Mitchell offers Amendment No. 1.

Representative Preston calls the previous question on the amendment and the call is sustained by electronic vote (82-32).

Amendment No. 1 fails of adoption by electronic vote (23-92).

Representatives Preston and Jeffus request to be recorded as voting "no" and these requests are granted. The adjusted vote total is (21-94).

Representative Smith offers Amendment No. 2 which is adopted by electronic vote (68-43).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: Representative Watson.

Excused absences: Representatives Creech, Shubert, C. Wilson, and Wood - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1061,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED SPORTSMEN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee,

Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Creech, Shubert, C. Wilson, and Wood - 4.

House Committee Substitute for **S.B. 892,** A BILL TO BE ENTITLED AN ACT TO LIMIT THE RIGHT OF CERTAIN SHAREHOLDERS TO DISSENT FROM CORPORATE ACTIONS AND TO AMEND THE LAW GOVERNING OFFERS OF PAYMENT TO DISSENTERS, passes its third reading, by electronic vote (105-7), and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 162,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND SIMILAR MINOR CHANGES TO THE ADOPTION LAWS AS FOUND IN CHAPTER 48 OF THE GENERAL STATUTES INVOLVING CERTIFICATION OF DOCUMENTS, NOTICE, PROCEDURES FOR REPORTS TO THE COURT, ACCEPTANCE OF RELINQUISHMENTS BY AGENCIES, INDEXING, CAPTIONS ON ADOPTION PETITIONS, AND STANDBY GUARDIANS; TO STANDARDIZE PROCEDURES FOR REQUESTING NEW BIRTH CERTIFICATES IN ALL ADOPTIONS; AND TO AMEND PROVISIONS FOR OBTAINING CERTIFICATION OF IDENTIFICATION FOR INDIVIDUALS OF FOREIGN BIRTH AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO ALLOW FOR PREBIRTH RIGHT-TO-CONSENT DETERMINATION, CLARIFY WHEN COUNTY DEPARTMENTS OF SOCIAL SERVICES MUST DO PREPLACEMENT ASSESSMENTS, TO ADD CHILDREN TO THE LIST

OF PERSONS WHO CAN GET COPIES OF BIRTH CERTIFICATES OF ADOPTEES, TO EXTEND THE EFFECTIVE PERIOD OF PRE-PLACEMENT ASSESSMENTS TO EIGHTEEN MONTHS, TO PROVIDE THAT EXECUTION OF A RELINQUISHMENT DOES NOT TERMINATE THE DUTY OF SUPPORT, AND TO PERMIT ALL RELINQUISHMENTS TO BE RESCINDED BY MUTUAL AGREEMENT, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 896,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE PRACTICE OF LAW BY ATTORNEYS REPRESENTING CORPORATIONS.

Representative Miller offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1011,** A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS TO ADMIT OTHERWISE ELIGIBLE CHILDREN TO KINDERGARTEN AFTER THE FIRST MONTH OF SCHOOL.

The Speaker declares the electronic voting system inoperative.

Pursuant to Rule 20(g), the bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 993,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURES FOR CONVERSIONS BY HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS.

Pursuant to Rule 24.1A(c), the request that Representative Neely be excused from voting on May 28 is continued.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (109-3).

Representative Howard offers Amendment No. 2 which fails of adoption by electronic vote (39-71).

Representative Gamble moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Insurance. The motion fails by electronic vote (42-68).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (75-35).

The bill, as amended, passes its second reading by electronic vote (85-25).

Representative Gamble objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1064,** A BILL TO BE ENTITLED AN ACT TO ALLOW A TAXPAYER WHO PREVAILS IN A PROPERTY TAX APPEAL TO RECEIVE INTEREST ON ANY OVERPAYMENT OF TAX AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS PROPERTY TAX ISSUES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

Representative Neely states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (112-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

SUBCOMMITTEE REFERRALS

Representative Gray, Senior Ranking Member and Co-Chair, for the Standing Committee on Finance, refers the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

H.B. 751, A BILL TO BE ENTITLED AN ACT TO REDUCE RELIANCE ON DEBT FOR PUBLIC SCHOOL CONSTRUCTION IN CABARRUS COUNTY BY AUTHORIZING THE COUNTY TO LEVY A TEMPORARY SALES AND USE TAX OF ONE PERCENT, IF APPROVED BY THE VOTERS OF THE COUNTY, FOR PUBLIC SCHOOL CONSTRUCTION; and

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MITCHELL COUNTY TO IMPOSE A CHARGE ON THE BUSINESS OF PROVIDING RIVER RAFTING IN MITCHELL COUNTY.

RE-REFERRAL

On motion of Representative McMahan and without objection, **H.B. 117,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION ENERGY CONSERVATION COMMITTEE, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Black, the House adjourns at 5:25 p.m. to reconvene June 4 at 1:00 p.m.

SEVENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 4, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty and everliving God, new every morning is Your love for us, and all day long You are working for good in the world. We, Your gathered servants, ask for Your blessing and Your guidance on this day as we seek to do the work of Your people. Guide our thoughts by the inspiration of Your Holy Spirit, and govern the motivation of our hearts, so that seeking to be faithful to our calling, we can rest at the end of this day

with the satisfaction of having lived authentically with ourselves and according to Your divine will. Through Jesus Christ our Lord. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 3 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (102-0).

Representative Alexander is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 447, AN ACT TO ESTABLISH THE LUMBERTON ECONOMIC DEVELOPMENT AND TOURIST DISTRICT AND TO AUTHORIZE THE ISSUANCE OF CERTAIN ABC PERMITS IN THIS TYPE OF DISTRICT.

S.B. 626, AN ACT TO ESTABLISH IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES THE OFFICE OF WOMEN'S HEALTH.

H.B. 999, AN ACT TO CLARIFY THE AUTHORITY OF THE SOIL AND WATER CONSERVATION COMMISSION TO CONDUCT INSPECTIONS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 437, AN ACT TO ALLOW THE TOWN OF ELKIN TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE. (S.L. 1997-131)

H.B. 718, AN ACT TO PROVIDE FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES, AND TO ALLOW THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES. (S.L. 1997-132)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 993, A BILL TO BE ENTITLED AN ACT TO ALLOW CREATION OF ADDITIONAL REGIONAL TRANSPORTATION AUTHORITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Hall for the Permanent Subcommittee on Financial Institutions:

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO REVISE THE CLASSIFICATION OF LENDERS WHO MAY CONTRACT FOR THE PAYMENT OF CHARGES IN CERTAIN CIRCUMSTANCES, reported to the Standing Committee on Commerce, with a favorable recommendation, and recommend that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 312,** A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES, reported to the Standing Committee on Commerce, with a favorable recommendation.

Committee Substitute for **S.B. 330,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SAFE-DEPOSIT BOXES, reported to the Standing Committee on Commerce, with a favorable recommendation.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

S.B. 561, A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED CAMPUS POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.J.R. 1191, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LOYD EDWARD AUMAN, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 1235, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDGAR M. "LONESOME ED" MCKNIGHT, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

S.B. 500, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38, the House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 698, A BILL TO BE ENTITLED AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 764,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 809,** A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA APPRAISERS ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 335,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 614,** A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SWIFT CREEK, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 69, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 186, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN ALLEGHANY COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 1094,** A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR PREEMPTED PROVISIONS OF THE GENERAL STATUTES AFFECTING RAILROADS, TO RECODIFY CERTAIN RAILROAD STATUTES, AND TO MAKE CONFORMING CHANGES AND CLARIFYING CHANGES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 466,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM STATE INCOME TAX ALL OF THE ANNUAL INVESTMENT INCOME EARNED BY CONTRIBUTORS ON DEPOSITS IN THE PARENTAL SAVINGS TRUST FUND AS WELL AS THE DISTRIBUTIONS TO BENEFICIARIES OF THAT FUND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 758, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ORANGE COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY IN ORANGE COUNTY AND AN ENTERTAINMENT TAX ON EVENTS IN LARGE FACILITIES IN ORANGE COUNTY, RELATING TO CLASSIFICATIONS UNDER THE ORANGE COUNTY CIVIL RIGHTS ORDINANCE, TO CLARIFY THE AUTHORITY OF ORANGE COUNTY TO REGULATE THE USE, STORAGE, DISPOSAL, LABELING, OR APPLICATION OF PESTICIDES,

AND TO MAKE TECHNICAL CHANGES IN THE ORANGE COUNTY ROOM OCCUPANCY TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 760, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1229, A BILL TO BE ENTITLED AN ACT TO ALLOW A PERSON WHO SUFFERS FROM LUPUS TO HAVE A DARKER VEHICLE WINDOW THAN IS ALLOWED UNDER THE WINDOW TINTING LAWS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 1055, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MANDATORY ARBITRATION OF CLAIMS RELATED TO DEFECTIVE SEED, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 277,** A BILL TO BE ENTITLED AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF ELECTIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 5.

Senate Committee Substitute for **H.B. 499,** A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 5.

Senate Committee Substitute for **H.B. 1051,** A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DUTY OF HOSPITALS AND OTHER AGENCIES WITH RESPECT TO ORGAN PROCUREMENT AND DONATION, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 5.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

House Committee Substitute for **S.B. 352,** A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Representative Neely offers Amendment No. 1.

Representative Neely calls the previous question on the amendment and the call is sustained by electronic vote (73-43).

Amendment No. 1 fails of adoption by electronic vote (36-83).

Representative C. Wilson offers Amendment No. 2 which is adopted by electronic vote (94-19).

Representative Redwine offers Amendment No. 3.

Representative Redwine calls the previous question on the amendment and the call is sustained by electronic vote (98-19).

Amendment No. 3 fails of adoption by electronic vote (56-63).

Representative McComas offers Amendment No. 4 which is adopted by electronic vote (104-10).

Representative Capps offers Amendment No. 5.

On motion of the Chair, the amendment is temporarily displaced.

Representative Sutton offers Amendment No. 6 which is adopted by electronic vote (78-39).

Amendment No. 5, which was temporarily displaced, is before the Body.

Representative Capps calls the previous question on the amendment and the call is sustained by electronic vote (66-47).

Amendment No. 5 fails of adoption by electronic vote (44-71).

Representative Davis offers Amendment No. 7 which fails of adoption by electronic vote (18-88).

Representative Davis offers Amendment No. 8 which fails of adoption by electronic vote (51-54).

Representative Davis offers Amendment No. 9 which fails of adoption by electronic vote (13-99).

Representative Fox offers Amendment No. 10 which fails of adoption by electronic vote (55-59).

Representative Decker offers Amendment No. 11.

Representative Arnold inquires of the Chair if the amendment is the same as the one sent forward by Representative Davis and defeated. The Chair rules that the amendment is different.

Representative Preston calls the previous question on the amendment and the call is sustained by electronic vote (68-43).

Amendment No. 11 fails of adoption by electronic vote (28-86).

Representative Reynolds offers Amendment No. 12 which is adopted by electronic vote (112-0).

Representative Gardner offers Amendment No. 13 which is adopted by electronic vote (109-3).

Representative Gardner offers Amendment No. 14 which is adopted by electronic vote (113-0).

Representative Buchanan offers Amendment No. 15 which is adopted by electronic vote (60-53).

Representative Jarrell states that her voting equipment malfunctioned and she requests to be recorded as voting "no". This request is granted. The adjusted vote total is (60-54).

Representative Shubert offers Amendment No. 16.

Representative Shubert calls the previous question on the amendment and the call is sustained by electronic vote (69-43).

Amendment No. 16 fails of adoption by electronic vote (36-78).

Representative Michaux offers Amendment No. 17.

On motion of Representative Michaux, the amendment is temporarily displaced.

Representative Hightower offers Amendment No. 18.

Representative Morgan calls the previous question on the amendment and the call is sustained by electronic vote (63-49).

Amendment No. 18 is adopted by electronic vote (60-53).

Having voted with the prevailing side, Representative Howard moves that the vote by which Amendment No. 15 was adopted be reconsidered.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (65-52).

The motion to reconsider the vote on Amendment No. 15 fails by electronic vote (37-80).

Representative Watson offers Amendment No. 19 which fails of adoption by electronic vote (41-73).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (61-57).

The bill passes its second reading by electronic vote (66-52).

Representative Holmes objects to the third reading. The bill remains on the Calendar.

On motion of Representative Morgan, seconded by Representative Sutton, the House adjourns at 9:00 p.m. to reconvene June 5 at 10:00 a.m.

SEVENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 5, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"God of the wilderness, from the beginning of time, You have proven to be a God who walks with us through the wildernesses of life. What scripture tells us is that when Your people keep their eyes focused upon You, You never let them go astray. Scripture also reminds us that when people choose to glance away from You and look to their own agendas, they often find themselves wandering like the Israelites of old wandered aimlessly in the desert.

"For all of us here, O God, agreeing upon and voting on this budget is a lot like walking through the wilderness. All of us have our own definitions of what is necessary and what is a priority. But, You alone are truth. And, You alone know the way we should move to reach the promised land. And, so we have two choices. We can choose to follow the convictions of our hearts which seek to honor You, or we can choose to impose our own agendas and find ourselves lost among the wilderness of self-indulgence,

greed, political posturing, and ultimately...spiritual isolation. Guard our hearts! And, through the truth of Your Holy Spirit, lead us to the promised land, through Jesus Christ our Lord, Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-2).

A leave of absence is granted Representative Alexander for today. Representative Morris is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 134, AN ACT TO ENACT THE REVISED ARTICLE 8 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H.B. 432, AN ACT TO IMPLEMENT THE LESSONS LEARNED FROM HURRICANE FRAN WITH RESPECT TO THE MOBILIZATION OF THE NORTH CAROLINA NATIONAL GUARD.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 58, AN ACT TO ADD ALAMANCE, BEAUFORT, BURKE, CALDWELL, CASWELL, CRAVEN, CUMBERLAND, HYDE, MCDOWELL, ORANGE, PITT, ROCKINGHAM, UNION, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.

S.B. 529, AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF HOPE MILLS AND WEAVERVILLE.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Hall for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

S.B. 329, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT STATE SAVINGS BANKS USE THE LETTERS "SSB" OR THE WORDS "SAVINGS BANK" IN THEIR LEGAL NAME IN ORDER TO CONFORM WITH THE REQUIREMENTS APPLICABLE TO FEDERAL SAVINGS BANKS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Culp for the Committee on Public Employees:

Committee Substitute for **S.B. 924,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF EMPLOYEES OF AND APPLICANTS FOR EMPLOYMENT WITH THE DEPARTMENT OF HUMAN RESOURCES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Clary sends forth the Conference Report on Senate Committee Substitute for **H.B. 81,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 9.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 833,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE THE CITY TO SERVE COMPLAINTS OR ORDERS IN HOUSING CODE CASES BY REGULAR MAIL IN ADDITION TO CERTIFIED OR REGISTERED MAIL, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 9.

Upon concurrence, the Senate committee substitute changes the title.

S.B. 441, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

SPECIAL ORDER OF BUSINESS

House Committee Substitute for **S.B. 352,** A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

Representative Hackney offers Amendment No. 20 which is adopted by electronic vote (66-45).

Representative Aldridge offers Amendment No. 21 which fails of adoption by electronic vote (12-95).

Representative Hardy states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". Representatives Goodwin, Gray, Hightower, and Holmes state that their voting equipment malfunctioned and they request to be recorded as voting "no". These requests are granted. The adjusted vote total is (12-99).

Representative Aldridge offers Amendment No. 22 which fails of adoption by electronic vote (16-88).

Representative Smith offers Amendment No. 23 which is adopted by electronic vote (101-2).

Representative Nesbitt offers Amendment No. 24 which fails of adoption by electronic vote (47-63).

Representative Nesbitt offers Amendment No. 25 which fails of adoption by electronic vote (54-60).

Representative Allred offers Amendment No. 26 which is adopted by electronic vote (102-4).

Representative Allred offers Amendment No. 27.

Representative Allred withdraws the amendment.

Representative Allred offers Amendment No. 28.

Representative Allred calls the previous question on the amendment and the call is sustained by electronic vote (73-42).

Amendment No. 28 is adopted by electronic vote (74-40).

Representative Jeffus offers Amendment No. 29 which is adopted by electronic vote (107-0).

Representative Redwine offers Amendment No. 30 which fails of adoption by electronic vote (54-60).

Representative Blue offers Amendment No. 31 which is adopted by electronic vote (104-0).

Representative Blue offers Amendment No. 32.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (68-48).

Amendment No. 32 fails of adoption by electronic vote (58-60).

Representative Gulley offers Amendment No. 33 which is adopted by electronic vote (87-24).

Representative Luebke offers Amendment No. 34.

Representative Luebke withdraws the amendment.

Representative Rogers offers Amendment No. 35 which is adopted by electronic vote (87-27).

Representative Wright offers Amendment No. 36 which fails of adoption by electronic vote (41-70).

Representative McCombs offers Amendment No. 37 which fails of adoption by electronic vote (31-87).

Representative Nesbitt offers Amendment No. 38.

Representative Russell offers perfecting Amendment No. 39 which is adopted by electronic vote (110-2).

Amendment No. 38 is adopted by electronic vote (102-5).

Representative Preston requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (103-5).

Representative Holmes calls the previous question on the passage of the bill and the call is sustained by electronic vote (61-49).

The bill, as amended, passes its third reading, by electronic vote (88-25), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Representatives Starnes and Hall request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (90-25).

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 5, 1997

Mr. Speaker:

On **H.B. 81,** (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR

NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOTOR VEHICLE SAFETY INSPECTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Davis for the Permanent Subcommittee on Business and Labor:

Committee Substitute for **S.B. 486,** A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF ESTABLISHMENTS THAT ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES, reported to the Standing Committee on Commerce, with a favorable recommendation as to proposed House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of Representative Morgan, seconded by Representative Aldridge, the House adjourns at 3:04 p.m. to reconvene Monday, June 9, 1997, at 6:00 p.m.

SEVENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 9, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Capps.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Braswell, Ellis, and Hightower for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 162, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND SIMILAR MINOR CHANGES TO THE ADOPTION LAWS AS FOUND IN CHAPTER 48 OF THE GENERAL STATUTES INVOLVING CERTIFICATION OF DOCUMENTS, NOTICE, PROCEDURES FOR REPORTS TO THE COURT, ACCEPTANCE OF RELINQUISHMENTS BY AGENCIES, INDEXING, CAPTIONS ON ADOPTION PETITIONS, AND STANDBY GUARDIANS; TO STANDARDIZE PROCEDURES FOR REQUESTING NEW BIRTH CERTIFICATES IN ALL ADOPTIONS; AND TO AMEND PROVISIONS FOR OBTAINING CERTIFICATION OF IDENTIFICATION FOR INDIVIDUALS OF FOREIGN BIRTH AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO ALLOW FOR PREBIRTH RIGHT-TO-CONSENT DETERMINATION, CLARIFY WHEN COUNTY DEPARTMENTS OF SOCIAL SERVICES MUST DO PREPLACEMENT ASSESSMENTS, TO ADD CHILDREN TO THE LIST OF PERSONS WHO CAN GET COPIES OF BIRTH CERTIFICATES OF ADOPTEES, TO EXTEND THE EFFECTIVE PERIOD OF PREPLACEMENT ASSESSMENTS TO EIGHTEEN MONTHS, TO PROVIDE THAT EXECUTION OF A RELINQUISHMENT

DOES NOT TERMINATE THE DUTY OF SUPPORT, AND TO PERMIT ALL RELINQUISHMENTS TO BE RESCINDED BY MUTUAL AGREEMENT.

S.B. 892, AN ACT TO LIMIT THE RIGHT OF CERTAIN SHAREHOLDERS TO DISSENT FROM CORPORATE ACTIONS AND TO AMEND THE LAW GOVERNING OFFERS OF PAYMENT TO DISSENTERS.

S.B. 896, AN ACT TO AMEND THE LAW GOVERNING THE PRACTICE OF LAW BY ATTORNEYS REPRESENTING CORPORATIONS.

S.B. 1011, AN ACT TO REQUIRE LOCAL BOARDS TO ADMIT OTHERWISE ELIGIBLE CHILDREN TO KINDERGARTEN AFTER THE FIRST MONTH OF SCHOOL.

S.B. 1064, AN ACT TO ALLOW A TAXPAYER WHO PREVAILS IN A PROPERTY TAX APPEAL TO RECEIVE INTEREST ON ANY OVERPAYMENT OF TAX AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS PROPERTY TAX ISSUES.

H.B. 194, AN ACT TO ESTABLISH AN ACCOUNT WITHIN THE CLEAN WATER REVOLVING LOAN AND GRANT FUND SO THAT FUNDS MADE AVAILABLE UNDER THE FEDERAL SAFE DRINKING WATER ACT AMENDMENTS OF 1996 MAY BE USED BY THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 482, AN ACT TO ALLOW ALL HANDICAPPED PERSONS TO USE A REGISTERED SIGNATURE FACSIMILE AS A MARK OF THEIR LEGAL SIGNATURE.

H.B. 945, AN ACT TO PROVIDE THAT CERTAIN PART-TIME BACCALAUREATE DEGREE STUDENTS ARE ELIGIBLE FOR NURSING SCHOLARSHIP LOANS.

H.B. 994, AN ACT TO ALLOW PAY TELEPHONE PROVIDERS TO OBTAIN LINE ACCESS FROM COMPETITIVE LOCAL PROVIDERS OF TELEPHONE SERVICE AND TO ELIMINATE THE STATUTORY REQUIREMENT THAT LINE ACCESS RATES BE SET ON A MEASURED RATE BASIS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 524, AN ACT TO ALLOW THE CITIES OF CONOVER AND SANFORD TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE.

H.B. 97, AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

H.B. 283, AN ACT TO ALLOW PERQUIMANS COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

H.B. 411, AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY.

H.B. 831, AN ACT REQUIRING THE CONSENT OF YANCEY COUNTY BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY.

H.B. 879, AN ACT TO ALLOW CERTAIN DECISIONS OF THE DURHAM COUNTY BOARD OF ADJUSTMENT TO BE MADE BY THREE-FIFTHS VOTE RATHER THAN FOUR-FIFTHS.

H.B. 881, AN ACT TO AMEND THE DURHAM CITY CHARTER TO PERMIT THE APPOINTMENT OF A BOARD OF ADJUSTMENT WITH MORE THAN FIVE MEMBERS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 312, AN ACT UPDATING THE STATUTORY MORTALITY TABLES USED AS EVIDENCE TO ESTABLISH THE EXPECTANCY OF CONTINUED LIFE. (S.L. 1997-133)

H.B. 348, AN ACT TO PROVIDE FOR A CIDER AND VINEGAR MANUFACTURER PERMIT TO BE ISSUED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION. (S.L. 1997-134)

H.B. 28, AN ACT TO ALLOW THE FIFTH MEMBER OF A COUNTY BOARD OF SOCIAL SERVICES TO BE SELECTED BY MAJORITY VOTE OF THE FOUR OTHER MEMBERS. (S.L. 1997-135)

H.B. 456, AN ACT TO REPEAL THE LAW REQUIRING THE REGISTER OF DEEDS TO DISTRIBUTE INFORMATION ON THE DANGERS OF DRUG AND ALCOHOL ABUSE DURING PREGNANCY WITH EACH MARRIAGE LICENSE. (S.L. 1997-136)

H.B. 455, AN ACT TO AMEND THE GENERAL STATUTES CONCERNING THE DETECTION, PREVENTION, CARE, AND TREATMENT OF GLAUCOMA AND DIABETES. (S.L. 1997-137)

H.B. 402, AN ACT TO PROVIDE THAT AN INFRACTION FOR CERTAIN ALCOHOL-RELATED OFFENSES MAY BE EXPUNGED FROM A PERSON'S RECORD AFTER A DISMISSAL OR UPON A FINDING OF NOT RESPONSIBLE. (S.L. 1997-138)

S.B. 323, AN ACT TO ALLOW AN INCOME TAX CREDIT FOR EXPENDITURES TO REHABILITATE HISTORIC STRUCTURES. (S.L. 1997-139)

S.B. 207, AN ACT TO MODIFY THE CRIMINAL HISTORY RECORD CHECKS LAW TO MAKE CLARIFYING CHANGES AND TO REQUIRE A CRIMINAL BACKGROUND CHECK ON HOME HEALTH AGENCY APPLICANTS ONLY FOR CERTAIN POSITIONS. (S.L. 1997-140)

S.B. 370, AN ACT TO AMEND THE NORTH CAROLINA INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR THE ENFORCEMENT OF ARBITRATION AWARDS PURSUANT TO THE ACT ENTERED OUTSIDE NORTH CAROLINA AND TO GIVE A PARTY THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT A PROCEEDING PURSUANT TO THE ACT. (S.L. 1997-141)

S.B. 266, AN ACT TO AUTHORIZE THE PRODUCTION AND SALE OF RED DEER. (S.L. 1997-142)

S.B. 409, AN ACT TO PERMIT AIRPORT LAW ENFORCEMENT AGENCIES TO ENTER COOPERATION AGREEMENTS WITH OTHER LAW ENFORCEMENT AGENCIES. (S.L. 1997-143)

S.B. 673, AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (S.L. 1997-144)

S.B. 914, AN ACT TO REVISE THE REIMBURSEMENT METHODOLOGY FOR HOSPITAL CHARGES UNDER WORKERS' COMPENSATION. (S.L. 1997-145)

H.B. 871, AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE, TO PERMIT EMPLOYERS SUBJECT TO THE STATE MINIMUM WAGE TO TAKE THE SAME TIP CREDIT AS FEDERALLY COVERED EMPLOYERS, AND TO EXEMPT COMPUTER PROFESSIONALS FROM MINIMUM WAGE AND OVERTIME PROVISIONS. (S.L. 1997-146)

H.B. 988, AN ACT TO RESTORE OFFICIAL RECOGNITION TO THE INDIANS OF PERSON COUNTY AND TO PROVIDE THEM WITH REPRESENTATION ON THE COMMISSION OF INDIAN AFFAIRS. (S.L. 1997-147)

S.B. 869, AN ACT TO TRANSFER TECHNOLOGY-RELATED FUNCTIONS OF STATE GOVERNMENT TO THE DEPARTMENT OF COMMERCE. (S.L. 1997-148)

H.B. 790, AN ACT TO PROVIDE THAT A CHECK TAKER OR ACCEPTOR SHALL NOT WRITE OR PRINT THE RACE OR GENDER ON THE CHECK OR DRAFT OF A CHECK PASSER. (S.L. 1997-149)

S.B. 58, AN ACT TO ADD ALAMANCE, BEAUFORT, BURKE, CALDWELL, CASWELL, CRAVEN, CUMBERLAND, HYDE, MCDOWELL, ORANGE, PITT, ROCKINGHAM, UNION, AND WILKES COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS. (S.L. 1997-150)

S.B. 529, AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF HOPE MILLS AND WEAVERVILLE. (S.L. 1997-151)

H.B. 410, AN ACT ENACTING AND ENTERING INTO THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT. (S.L. 1997-152)

H.B. 432, AN ACT TO IMPLEMENT THE LESSONS LEARNED FROM HURRICANE FRAN WITH RESPECT TO THE MOBILIZATION OF THE NORTH CAROLINA NATIONAL GUARD. (S.L. 1997-153)

S.B. 554, AN ACT TO REMOVE THE SUNSET. (S.L. 1997-154)

S.B. 811, AN ACT TO AUTHORIZE THE SOUTHEASTERN NORTH CAROLINA REGIONAL ECONOMIC DEVELOPMENT COMMISSION TO HIRE AND CONTRACT FOR PERSONNEL. (S.L. 1997-155)

H.B. 53, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE 82ND AIRBORNE DIVISION ASSOCIATION SPECIAL REGISTRATION PLATES. (S.L. 1997-156)

H.B. 477, AN ACT TO AUTHORIZE THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS TO ADMINISTER COMPUTER-BASED EXAMINATIONS AND TO KEEP CERTAIN RECORDS CONFIDENTIAL. (S.L. 1997-157)

H.B. 704, AN ACT TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR CURRENT SHERIFFS AND CERTAIN RETIRED SHERIFFS. (S.L. 1997-158)

H.B. 977, AN ACT TO ALLOW PARENTS TO ELECT THE PARENTS WHO SERVE ON SCHOOL IMPROVEMENT TEAMS. (S.L. 1997-159)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 74, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INDIVIDUAL INCOME TAX CREDIT FOR PREMIUMS PAID ON LONG-TERM CARE INSURANCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original

bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 251, A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS CERTIFICATION COMMISSION, TO REQUIRE THAT WELL CONTRACTORS BE CERTIFIED, AND TO MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1027,** A BILL TO BE ENTITLED AN ACT TO STIMULATE SUBSTANTIAL GROWTH OF VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA THROUGH INVESTMENTS BY THE STATE TREASURER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 249,** A BILL TO BE ENTITLED AN ACT TO CLARIFY WHAT FUNDS MAY BE USED TO REPAY SPECIAL OBLIGATION BONDS AND TO MAKE OTHER CHANGES IN THE LAWS CONCERNING THESE BONDS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 5, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate failed to concur on Wednesday, June 4, 1997 in the House Committee Substitute bill to **S.B. 356,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, which proposes to change the title, upon concurrence, to read **S.B. 356** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 5, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 429,** A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD, which proposes to change the title, upon concurrence, to read **S.B. 429** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION

CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 712,** A BILL TO BE ENTITLED AN ACT TO CERTIFY CLINICAL ADDICTIONS SPECIALISTS, PROVIDE SPECIFIC AUTHORITY FOR CERTIFICATION OF CLINICAL SUPERVISORS AND RESIDENTIAL FACILITY DIRECTORS, AND TO MAKE A TECHNICAL CHANGE, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Judiciary II.

INTRODUCTION OF PAGES

Pages for the week of June 9 are introduced to the membership. They are: Rebecca Linnea Ahlin of Wake; Nathan Lee Auman of Randolph; Katelyn Gwyn Bottoms of Rowan; Amy Lynn Britt of Cumberland; Jonathan Brubaker of Randolph; Tiffany Elaine Burke of Wake; Lewis Mark Case of Henderson; Julie Cheng of Wake; Margarette Elizabeth Duncan of Wake; Evan Alexander Erwin, IV, of Onslow; Karen Marie Gupton of Wake; Laura Dale Gupton of Wake; Elizabeth Patricia Hackney of Guilford; Jonathan Edward Harms of Mecklenburg; Webster Glenn Harrison of Wake; Kathleen Elizabeth Harry of Guilford; Daniel William Henderson of Wilkes; Jennifer Marie Jaskey of Wayne; Benita Nicole Jones of Wake; Charles Richard Kinnin, Jr., of Edgecombe; Melissa Lee Lassiter of Rowan; Ebony Shante' Lester of Cumberland; Ame Leigh Luther of Randolph; Margot Chantelle Pegram of Forsyth; Darren Joseph Popik of Guilford; Julie Lynn Priest of Bladen; Brandon Alexander Robinson of Davie; Christopher L. Strong of Davie; and Erin Elizabeth Woody of Gaston.

CONFERENCE REPORT

Representative Clary moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 81

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 81, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE, Senate Children & Human Resources Committee Substitute Adopted 4/16/97, submit the following report:

The House and Senate agree to the following amendments to the Senate Committee Substitute, Senate Children & Human Resources Committee Substitute Adopted 4/16/97, and the House concurs in the Senate Committee Substitute as amended:

on page 1, lines 15 through 20, by rewriting the lines to read:

"a. A resident of North Carolina for at least 90 days immediately prior to receiving this assistance;

b. A person coming to North Carolina to join a close relative who has resided in North Carolina for at least 180 consecutive days immediately prior to the person's application. The close relative shall furnish verification of his or her residency to the local department of social services at the time the applicant applies for special assistance. As used in this sub-subdivision, a close relative is the person's parent, grandparent, brother, sister, spouse, or child; or

c. A person discharged from a State facility who was a patient in the facility as a result of an interstate mental health compact. As used in this sub-subdivision the term State facility is a facility listed under G.S. 122C-181.'"

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 3, 1997.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Betsy L. Cochrane	S/ Debbie A. Clary

S/ Jeanne H. Lucas
S/ Fletcher Lee Hartsell, Jr.
S/ Robert C. Carpenter
S/ Walter H. Dalton
S/ Gene Wilson
S/ Charlotte A. Gardner
S/ Martin L. Nesbitt, Jr.

The Conference Report is adopted, by electronic vote (109-0), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 277,** A BILL TO BE ENTITLED AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF ELECTIONS.

On motion of Representative Buchanan, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled and presented to the Governor.

Representative Dockham requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (107-0).

Committee Substitute for **H.B. 406,** A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO ADOPT ORDINANCES THAT IMPOSE A CURFEW ON PERSONS UNDER THE AGE OF EIGHTEEN.

On motion of Representative Baddour, the House concurs in the Senate amendment, by electronic vote (104-3), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 499,** A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS.

On motion of Representative Thompson, the House concurs in the Senate committee substitute, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1051,** A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DUTY OF HOSPITALS AND OTHER AGENCIES WITH RESPECT TO ORGAN PROCUREMENT AND DONATION.

On motion of Representative Miller, the House concurs in the Senate committee substitute, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute for **S.B. 513,** A BILL TO BE ENTITLED AN ACT TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF OAKBORO IN STANLY COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Braswell, Ellis, and Hightower - 3.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of the Chair, pursuant to Rule 38, **S.B. 864,** A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF

THE TRADEMARK IN NORTH CAROLINA, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR (continued)

Committee Substitute No. 3 for **H.B. 1097,** A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA.

Representative Nichols offers an amendment.

On motion of Representative Grady and without objection, the bill is temporarily displaced.

Committee Substitute for **H.B. 1061,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED SPORTSMEN, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Braswell, Ellis, and Hightower - 3.

House Committee Substitute for **S.B. 993,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURES FOR CONVERSIONS BY HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS.

Pursuant to Rule 24.1A(c), the request that Representative Neely be excused from voting on May 28 is continued.

Representative Baddour offers Amendment No. 3 which is adopted by electronic vote (109-2).

Representative Hurley offers Amendment No. 4.

Representative Hackney offers perfecting Amendment No. 5 which is adopted by electronic vote (103-9).

Amendment No. 4 is adopted by electronic vote (67-47).

Representative Daughtry calls the previous question on the bill. The call fails to be sustained by electronic vote (49-62).

Representative Gamble offers Amendment No. 6 which fails of adoption by electronic vote (55-58).

The bill, as amended, passes its third reading, by electronic vote (83-31), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

On motion of the Chair and without objection, **H.J.R. 1227,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GORDON HICKS GREENWOOD, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Morgan, seconded by Representative Weatherly, the House adjourns at 8:02 p.m. to reconvene June 10 at 1:00 p.m.

SEVENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 10, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend J. Marshall Neathery, Rolesville, North Carolina.

"Mr. Speaker, and distinguished members of the House, I bring you greetings. Let us pray.

"Almighty and Everlasting God, Creator and Lord of life, we praise Your Holy Name, and give thanks this day for Your providential blessings and care.

"As this session of the House commences its work, bless, I pray Thee, our Honorable Speaker, each Representative, and all officers of this great Body. May the deliberations here, this afternoon, be in accordance with Your purposes and for the good of all of our citizens.

"We thank Thee for our nation, and our great State of North Carolina. Bless, I pray Thee, our leaders and our people. Let the Divine Wind of Thy Eternal Spirit bring kindness and care among all of us for each other. May the golden words of the Gospel which say, 'Do unto others as you would have them do unto you', not be just words on a page, but the attitude and action of our hearts and minds.

"Come with power, O Lord, upon these our leaders this day. And 'let justice roll down like waters, and righteousness as a mighty stream'. In the Name of Jesus Christ, our Lord and Savior, I pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (102-1).

Leaves of absence are granted Representatives Braswell and Ellis for today. Representative Davis is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 153, AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE FOR FIVE MORE YEARS, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 81, AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE.

H.B. 277, AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF ELECTIONS.

H.B. 406, AN ACT TO ALLOW CITIES AND COUNTIES TO ADOPT ORDINANCES THAT IMPOSE A CURFEW ON PERSONS UNDER THE AGE OF EIGHTEEN.

H.B. 499, AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS.

H.B. 1051, AN ACT PERTAINING TO THE DUTY OF HOSPITALS AND OTHER AGENCIES WITH RESPECT TO ORGAN PROCUREMENT AND DONATION.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 513, AN ACT TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF OAKBORO IN STANLY COUNTY.

H.B. 804, AN ACT TO GIVE LINCOLN COUNTY AUTHORITY TO BUILD AND IMPROVE ROADS WITHIN LINCOLN COUNTY THAT ARE NOT PART OF THE STATE HIGHWAY SYSTEM.

CHAPTERED BILLS

The following bills and resolutions are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1227, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GORDON HICKS GREENWOOD, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 15)

S.B. 524, AN ACT TO ALLOW THE CITIES OF CONOVER AND SANFORD TO SERVE COMPLAINTS AND ORDERS BY PUBLICATION UPON OWNERS WHOSE IDENTITIES OR WHEREABOUTS ARE KNOWN AND THEY REFUSE TO ACCEPT SERVICE. (S.L. 1997-160)

H.B. 97, AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT. (S.L. 1997-161)

H.B. 283, AN ACT TO ALLOW PERQUIMANS COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION. (S.L. 1997-162)

H.B. 411, AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY. (S.L. 1997-163)

H.B. 831, AN ACT REQUIRING THE CONSENT OF YANCEY COUNTY BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY. (S.L. 1997-164)

H.B. 879, AN ACT TO ALLOW CERTAIN DECISIONS OF THE DURHAM COUNTY BOARD OF ADJUSTMENT TO BE MADE BY THREE-FIFTHS VOTE RATHER THAN FOUR-FIFTHS. (S.L. 1997-165)

H.B. 881, AN ACT TO AMEND THE DURHAM CITY CHARTER TO PERMIT THE APPOINTMENT OF A BOARD OF ADJUSTMENT WITH MORE THAN FIVE MEMBERS. (S.L. 1997-166)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

S.B. 457, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAM TO PROVIDE INSTRUCTION ON THE PERFORMANCE OF CARDIO-PULMONARY RESUSCITATION AND THE HEIMLICH MANEUVER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1066, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DETERMINE WHICH GROUPS OF STUDENTS ARE LIKELY TO SCORE BELOW BENCHMARKS ON STATEWIDE TESTS AND TO RECOMMEND WAYS TO FOCUS RESOURCES ON ADDRESSING THE NEEDS OF THOSE STUDENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Fitch and without objection, House Committee Substitute for **S.B. 535,** A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF CHEROKEE, CLAY, GUILFORD, MACON, AND POLK COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, is withdrawn from the Calendar and placed on the Calendar of June 19.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 508,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TURKEY GROWER SHALL NOT BE DISQUALIFIED FROM USE VALUE TAXATION FOR A TWO-YEAR PERIOD IF THE GROWER'S LAND IS TAKEN OUT OF PRODUCTION

SOLELY BECAUSE OF THE PRESENCE OF TURKEY DISEASE IN THE AREA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRAL

Representative Holmes, Senior Ranking Member and Co-Chair for the Standing Committee on Appropriations, refers **H.B. 998,** A BILL TO BE ENTITLED AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS, to the Permanent Subcommittee on Natural and Economic Resources.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 9, 1997

Mr. Speaker:

On **H.B. 15,** A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 9, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 352** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, and requests conferees. The President Pro Tempore appoints:

Senator Plyler, Chairman
Senator Perdue
Senator Odom
Senator Ballance
Senator Conder
Senator Rand
Senator Warren
Senator Gulley
Senator Lee
Senator Winner
Senator Jordan
Senator Martin of Pitt
Senator Martin of Guilford
Senator Kerr
Senator Hoyle
Senator Jenkins
Senator Shaw of Guilford
Senator Hartsell
Senator Rucho
Senator Forrester
Senator Cooper

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 9, 1997

Mr. Speaker:

Pursuant to the message from the Senate on June 5, 1997, informing the House of Representatives that the Senate failed to concur in the House Committee Substitute bill to **S.B. 429,** A BILL TO BE ENTITLED AN

ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD, which proposes to change the title, upon concurrence, to read **S.B. 429** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President Pro Tempore appoints:

Senator Odom, Chairman
Senator Winner
Senator Rucho

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1080, A JOINT RESOLUTION HONORING THE LIFE, SERVICE, AND MEMORY OF CHARLES DUNN, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Cansler sends forth the Conference Report on Senate Committee Substitute for **H.B. 15,** A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 11.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 833,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE THE CITY TO SERVE COMPLAINTS OR ORDERS IN HOUSING CODE CASES BY REGULAR MAIL IN ADDITION TO CERTIFIED OR REGISTERED MAIL.

On motion of Representative Wright, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute No. 3 for **H.B. 1097,** A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA.

Amendment No. 3, which was offered by Representative Nichols on June 9, is before the Body.

Amendment No. 3 fails of adoption by electronic vote (47-69).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: Representative Watson.

Excused absences: Representatives Braswell and Ellis - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Braswell and Ellis - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 698, A BILL TO BE ENTITLED AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 465, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH FISCAL

POLICIES FOR ENGINEERING AND DESIGN CONTRACTS WHICH WILL PROMOTE ENGINEERING AND DESIGN QUALITY AND ENSURE MAXIMUM COMPETITION AMONG COMPETING PROFESSIONAL FIRMS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 997,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO IGNORES A WARNING REGARDING PERSONAL SAFETY IN A DISASTER SITUATION AND PLACES HIMSELF OR HERSELF OR ANOTHER IN DANGER AND REQUIRES AN EMERGENCY RESCUE IS CIVILLY LIABLE FOR THE COSTS OF THE RESCUE EFFORT, passes its second reading, by electronic vote (100-13), and there being no objection is read a third time.

On motion of Representative Smith and without objection, the bill is postponed until June 11.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Russell and without objection, House Committee Substitute for **S.B. 616,** A BILL TO BE ENTITLED AN ACT TO LIMIT APPEALS TO LOCAL BOARDS OF EDUCATION, is withdrawn from the Calendar and placed on the Calendar of June 11.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 765,** A BILL TO BE ENTITLED AN ACT TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO DEDICATE ADEQUATE FUNDING TO STUDENTS IN ALTERNATIVE SCHOOLS, passes its second reading, by electronic vote (113-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 430,** A BILL TO BE ENTITLED AN ACT TO PROVIDE TITLE PROTECTION FOR THE PROFESSION OF INDUSTRIAL HYGIENISTS, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 953, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME CORPORATIONS MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 816,** A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE NEED TO OBTAIN PRIOR APPROVAL FROM THE WILDLIFE RESOURCES COMMISSION TO RAISE YELLOW PERCH COMMERCIALLY IN SOME AREAS OF THE STATE AND TO ALLOW ALLIGATORS TO BE RAISED COMMERCIALLY, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 785, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON CERTAIN DIRECT PAYMENTS UNDER HEALTH INSURANCE POLICIES AND PLANS, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 376, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TEACHING HOSPITALS AFFILIATED WITH CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO ESTABLISH CAMPUS LAW ENFORCEMENT AGENCIES, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 393,** A BILL TO BE ENTITLED AN ACT TO MANDATE THE REVOCATION OF A PERSON'S DRIVERS LICENSE OR LIMITED DRIVING PRIVILEGE FOR WILLFUL FAILURE TO COMPLETE COURT-ORDERED COMMUNITY SERVICE AND TO ELIMINATE THE REQUIREMENT FOR JUDICIAL INVOLVEMENT IN THE APPOINTMENT OF COMMUNITY SERVICE COORDINATORS, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

On motion of Representative Hackney and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 11.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 429,** A BILL TO BE ENTITLED AN ACT CLARIFYING

LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS: Representative C. Wilson, Chair; Representatives McMahan and Alexander.

The Senate is so notified by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 861,** A BILL TO BE ENTITLED AN ACT AMENDING THE DISPENSING OPTICIANS ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 452,** A BILL TO BE ENTITLED AN ACT TO CLARIFY LOCAL GOVERNMENT AUTHORITY TO REGULATE THE LOCATION AND OPERATION OF SEXUALLY ORIENTED BUSINESSES, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Yongue, the House adjourns at 2:20 p.m. to reconvene June 11 at 1:00 p.m.

SEVENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 11, 1997

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Al Margaret, Associate Pastor, Trinity Baptist Church, Raleigh, North Carolina.

"Almighty God, Sovereign Lord, we bow before Thee with humble adoration and praise. We acknowledge Your presence and Your preeminence as our Creator and Sustainer.

"Lord, as the Psalmist declared, 'You have been our dwelling place throughout all generations. Before the mountains were born or You brought forth the earth and the world, from everlasting to everlasting You are God'. (Psalm 90:1-2)

"We pray for these who have assembled here today, as they work together to build upon the spiritual foundations and principles of democracy, justice and liberty which guided previous generations and that have shaped this Nation and State.

"Help us to recognize the truths that the writer of the 128th Psalm expressed when he wrote:

> 'Unless the Lord builds the house, its' builders labor in vain. Unless the Lord watches over the city, the watchmen stand guard in vain. In vain you rise early and stay up late, toiling for food to eat--for he grants sleep to those he loves. Sons are a heritage from the Lord, children a reward from him. Like arrows in the hands of a warrior are sons born in one's youth. Blessed is the man whose quiver is full of them. They will not be put to shame when they contend with their enemies in the gate'.

"We pray that You will guide their work this day. Give them wisdom, insight and discernment. Give them understanding and patience. Give them compassionate hearts as they consider the needs of the people of this great State. Give them courage and strength as they defend our cities and communities from such enemies as:

Homelessness & Lawlessness
Disease & Discord
Hatred & Violence
Intolerance & Indifference
Hunger & Greed
And the one that is sometimes the hardest to conquer, Selfishness.

"And now, 'May the Lord bless you and keep you: The Lord make His face to shine upon you, and be gracious to you: The Lord lift up His countenance upon you, and give you peace'. (Numbers 6:24-26) Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-1).

Representatives Hardaway and Wood are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 376, AN ACT TO AUTHORIZE TEACHING HOSPITALS AFFILIATED WITH CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO ESTABLISH CAMPUS LAW ENFORCEMENT AGENCIES.

S.B. 430, AN ACT TO PROVIDE TITLE PROTECTION FOR THE PROFESSION OF INDUSTRIAL HYGIENISTS.

S.B. 465, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH FISCAL POLICIES FOR ENGINEERING AND DESIGN CONTRACTS WHICH WILL PROMOTE ENGINEERING AND DESIGN QUALITY AND ENSURE MAXIMUM COMPETITION AMONG COMPETING PROFESSIONAL FIRMS.

S.B. 785, AN ACT TO REMOVE THE SUNSET ON CERTAIN DIRECT PAYMENTS UNDER HEALTH INSURANCE POLICIES AND PLANS.

S.B. 816, AN ACT TO ELIMINATE THE NEED TO OBTAIN PRIOR APPROVAL FROM THE WILDLIFE RESOURCES COMMISSION TO RAISE YELLOW PERCH COMMERCIALLY IN SOME AREAS OF THE STATE AND TO ALLOW ALLIGATORS TO BE RAISED COMMERCIALLY.

S.B. 855, AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH

THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION.

S.B. 953, AN ACT TO EXTEND THE TIME CORPORATIONS MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION.

H.B. 833, AN ACT TO AMEND THE GENERAL STATUTES TO PROVIDE MUNICIPALITIES WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN HOUSING CODE CASES.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 698, AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 814, AN ACT TO PROVIDE FOR IN-STAND SALES OF ALCOHOLIC BEVERAGES IN CERTAIN STADIUMS, BALLPARKS, AND SIMILAR PUBLIC PLACES. (S.L. 1997-167)

S.B. 513, AN ACT TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF OAKBORO IN STANLY COUNTY. (S.L. 1997-168)

H.B. 804, AN ACT TO GIVE LINCOLN COUNTY AUTHORITY TO BUILD AND IMPROVE ROADS WITHIN LINCOLN COUNTY THAT ARE NOT PART OF THE STATE HIGHWAY SYSTEM. (S.L. 1997-169)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 548, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN STOKES COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 615, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF KERNERSVILLE TO LEVY A MOTOR VEHICLE TAX OF UP TO TEN DOLLARS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute for **S.B. 643,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GREENSBORO CITY COUNCIL MEMBERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 644,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY HIGH POINT CITY COUNCIL MEMBERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 645,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GUILFORD COUNTY BOARD OF EDUCATION MEMBERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

Committee Substitute for **S.B. 297,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS,

with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of the Chair, the House committee substitute bill is re-referred to the Committee on Pensions and Retirement. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 442,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 1121,** A BILL TO BE ENTITLED AN ACT TO PROMOTE THE SAFE REUSE OF PROPERTIES WHERE ACTUAL CONTAMINATION, OR THE POSSIBILITY OF CONTAMINATION, HAS IMPEDED REDEVELOPMENT, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 1059,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT DEALER PLATES ARE USED ONLY ON

VEHICLES DRIVEN FOR A BUSINESS PURPOSE OF THE DEALERSHIP AND TO LIMIT THE NUMBER OF TRANSPORTER PLATES THAT MAY BE ISSUED TO A DEALER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Baker, Mitchell, and Carpenter, Co-Chairs, for the Permanent Subcommittee on Natural and Economic Resources of the Standing Committee on Appropriations, with approval of standing committee co-chairs, for report to be made directly to the floor of the House:

H.B. 998, A BILL TO BE ENTITLED AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 741,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Brown for the Committee on Agriculture:

H.B. 980, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CROP ALLOTMENTS SHALL NOT BE CONSIDERED IN APPRAISING LAND FOR AD VALOREM TAX PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

S.B. 262, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION; and

S.B. 390, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 12.

Senate Committee Substitute No. 2 for **H.B. 260,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONSERVATION EASEMENTS PROGRAM THAT USES CONSERVATION TAX CREDITS FOR THE PROTECTION OF NATURAL RESOURCES AND THAT FURTHERS APPROPRIATE PUBLIC USE OF NATURAL RESOURCES, TO CREATE THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT COOPERATIVE CONSERVATION EFFORTS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar of June 12.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 374,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT TO INCREASE THE ALLOWABLE EXPENSE FOR FUNERALS AND

TO MAKE VICTIMS OF HIT AND RUN ACCIDENTS AND VICTIMS OF TERRORISM ELIGIBLE FOR COMPENSATION, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 12.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 448,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 12.

H.B. 465, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT BE NOTIFIED WHEN THE PROSECUTOR TAKES A VOLUNTARY DISMISSAL OF THE CHARGES AGAINST THE DEFENDANT AND NEITHER THE DEFENDANT NOR THE DEFENDANT'S ATTORNEY IS PRESENT AT THE TIME OF THE DISMISSAL, is returned for concurrence in Senate amendment and placed on the Calendar of June 12.

Senate Committee Substitute for **H.B. 484,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 12.

Senate Committee Substitute for **H.B. 772,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SHALLOTTE TO AUTHORIZE THE TOWN TO ENFORCE ORDINANCES AS PROVIDED IN THE GENERAL LAW, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 12.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 907,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT ACTIONS INVOLVING CERTAIN FAMILY ISSUES, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 12.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED UNDER THE PHARMACY PRACTICE ACT, is

returned for concurrence in Senate amendment and placed on the Calendar of June 12.

Senate Committee Substitute for **H.B. 958,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONCEALED HANDGUN LAWS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 12.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 1008,** A BILL TO BE ENTITLED AN ACT REGARDING THE EDUCATIONAL REQUIREMENTS FOR CHIROPRACTIC LICENSURE AND TO AUTHORIZE THE BOARD TO LICENSE PERSONS WHO HAVE PASSED THE NATIONAL CHIROPRACTIC EXAMINATION, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 12.

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, is returned for concurrence in Senate amendment and placed on the Calendar of June 12.

Committee Substitute for **S.B. 299,** A BILL TO BE ENTITLED AN ACT TO PROVIDE LONG-TERM CARE BENEFITS FOR QUALIFIED EMPLOYEES, RETIRED EMPLOYEES, AND THEIR DEPENDENTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is read the first time and referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Insurance.

Committee Substitute for **S.B. 476,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OSTEOPOROSIS PREVENTION TASK FORCE, AND TO APPROPRIATE FUNDS THEREFOR, is read the first time and referred to the Committee on Human Resources and, if favorable, to the Committee on Appropriations.

Committee Substitute for **S.B. 516,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE-ADMINISTERED LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM IN LIEU OF HAVING A FEDERALLY ADMINISTERED PROGRAM APPLY IN THIS STATE, is read the first time and referred to the Committee on Environment and, if favorable, to the Committee on Finance.

Committee Substitute for **S.B. 521,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS ON SEXUAL ASSAULT FOR INMATES AND EMPLOYEES OF THE DEPARTMENT OF CORRECTION, is read the first time and referred to the Committee on Judiciary I and, if favorable, to the Committee on Appropriations.

Committee Substitute for **S.B. 668,** A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Holmes and without objection, **H.B. 524,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN A FUND FOR ALCOHOL STUDIES ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Finance.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 352,** A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES: Representative Holmes, Chair; Representatives Arnold, Baker, Berry, Bowie, Brawley, Cansler, Carpenter, Church, Clary, Crawford, Creech, Daughtry, Dickson, Dockham, Esposito, Fox, Gardner, Grady, Gray, Hill, Howard, Ives, Justus, Kiser, McCombs, McMahan, Mitchell, Moore, Morgan, Nye, Preston, Russell, Sherrill, Thompson, C. Wilson, and G. Wilson.

The Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Cansler moves the adoption of the following Conference Report.

H.B. 15

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 15, A BILL TO BE ENTITLED AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT, First Edition with an unengrossed Senate Amendment Number 1, submit the following report:

The Senate recedes from Senate Amendment Number 1.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 5, 1997.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ John Kerr	S/ Lanier M. Cansler
S/ John Carrington	S/ C. B. Neely, Jr.
S/ David Hoyle	S/ Constance K. Wilson

The Conference Report is adopted, by electronic vote (116-0), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor.

CALENDAR

Action is taken on the following:

S.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES.

On motion of Representative Ives, the bill is postponed until June 16.

House Committee Substitute for **S.B. 69,** A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: Representatives Capps, Davis, and Fitch - 3.

Excused absence: Representative Wood.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 251,** A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS CERTIFICATION COMMISSION, TO REQUIRE THAT WELL CONTRACTORS BE CERTIFIED, AND TO MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko,

Ives, Jarrell, Jeffus, Justus, Kinney, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representatives Allred, Carpenter, Hardy, Kiser, Nesbitt, Starnes, Warner, and Wood - 8.

Excused absences: None.

House Committee Substitute for **S.B. 997,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO IGNORES A WARNING REGARDING PERSONAL SAFETY IN A DISASTER SITUATION AND PLACES HIMSELF OR HERSELF OR ANOTHER IN DANGER AND REQUIRES AN EMERGENCY RESCUE IS CIVILLY LIABLE FOR THE COSTS OF THE RESCUE EFFORT, passes its third reading, by electronic vote (103-13), and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 393,** A BILL TO BE ENTITLED AN ACT TO MANDATE THE REVOCATION OF A PERSON'S DRIVERS LICENSE OR LIMITED DRIVING PRIVILEGE FOR WILLFUL FAILURE TO COMPLETE COURT-ORDERED COMMUNITY SERVICE AND TO ELIMINATE THE REQUIREMENT FOR JUDICIAL INVOLVEMENT IN THE APPOINTMENT OF COMMUNITY SERVICE COORDINATORS.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its third reading, by electronic vote (115-1), and is ordered sent to the Senate for concurrence in House amendment.

House Committee Substitute for **S.B. 616,** A BILL TO BE ENTITLED AN ACT TO LIMIT APPEALS TO LOCAL BOARDS OF EDUCATION.

Representative Fox offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, fails to pass its second reading by electronic vote (43-74).

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

On motion of the Chair and without objection, **H.J.R. 1235,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDGAR M. "LONESOME ED" MCKNIGHT, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 366,** A BILL TO BE ENTITLED AN ACT TO REVISE THE MEDIATION PROCEDURE FOR RESOLVING SCHOOL BUDGET DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS, AND TO CLARIFY THE SCOPE OF THE SCHOOL FACILITIES GUIDELINES.

Representative Baddour offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 142,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 71,** A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS, FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, AND TO MAKE TECHNICAL CORRECTIONS REGARDING THE REVIEW BY THE LOCAL GOVERNMENT COMMISSION OF CERTAIN LEASES, LEASE PURCHASE CONTRACTS, AND INSTALLMENT PURCHASE CONTRACTS, passes its second reading, by electronic vote (108-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE.

On motion of Representative Fitch, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 764,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION.

Representative Michaux moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Insurance. The motion fails by electronic vote (37-76).

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (107-4).

The bill, as amended, passes its second reading, by electronic vote (102-11), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 1094,** A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR PREEMPTED PROVISIONS OF THE GENERAL STATUTES AFFECTING RAILROADS, TO RECODIFY CERTAIN RAILROAD STATUTES, AND TO MAKE CONFORMING CHANGES AND CLARIFYING CHANGES, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

On motion of Representative Hensley, the bill is withdrawn from the Calendar and placed on the Calendar of June 12.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 329,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT STATE SAVINGS BANKS USE THE LETTERS "SSB" OR THE WORDS "SAVINGS BANK" IN THEIR LEGAL NAME IN ORDER TO CONFORM WITH THE REQUIREMENTS APPLICABLE TO FEDERAL SAVINGS BANKS AND TO AMEND THE NORTH CAROLINA RECIPROCAL INTERSTATE BANKING ACT RELATING TO BANKS ACTING AS AGENTS FOR DEPOSITORY INSTITUTION AFFILIATES.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

VOTE RECONSIDERED

Having voted with the prevailing side, Representative Carpenter moves that the vote by which House Committee Substitute for **S.B. 616,** A BILL

TO BE ENTITLED AN ACT TO LIMIT APPEALS TO LOCAL BOARDS OF EDUCATION, failed to pass its second reading be reconsidered. The motion carries by electronic vote (71-42).

On motion of Representative Decker and without objection, the bill as amended, is withdrawn from the Calendar and re-referred to the Committee on Education.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 157,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is withdrawn from the Calendar pursuant to Rule 36(a), and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative Black, the House adjourns at 3:25 p.m. to reconvene June 12 at 12:00 Noon.

SEVENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 12, 1997

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Jay Allan Hobbs, Rector, Good Shepard Episcopal Church, Asheboro, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 11 has been examined

and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-1).

Leaves of absence are granted Representatives Barbee, Berry, Ellis, Fox, and Nichols for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 15, AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT.

H.B. 535, AN ACT TO INCLUDE NONVESTED PENSION, RETIREMENT, AND OTHER DEFERRED COMPENSATION RIGHTS AS MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION.

CHAPTERED BILLS

The following bill and resolution are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1235, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDGAR M. "LONESOME ED" MCKNIGHT, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 16)

S.B. 698, AN ACT ALLOWING WAYNE COUNTY TO CONVEY CERTAIN REAL PROPERTY TO THE NAHUNTA VOLUNTEER FIRE DEPARTMENT BY PRIVATE SALE. (S.L. 1997-170)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 993,** A BILL TO BE ENTITLED AN ACT TO ALLOW CREATION OF ADDITIONAL REGIONAL TRANSPORTATION AUTHORITIES, with a favorable report as to

Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of June 16. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1108,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of June 16. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

Committee Substitute for **S.B. 556,** A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

Committee Substitute for **S.B. 263,** A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT SO THAT NONRESIDENT ALIENS RECEIVE COMPENSATION EQUAL TO THAT RECEIVED BY OTHER WORKERS UNDER THE ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 844,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE OPEN MEETINGS LAW TO REQUIRE ACCOUNTS OF CLOSED MEETINGS AND TO PROHIBIT VOTING ON ECONOMIC DEVELOPMENT INCENTIVES IN CLOSED SESSIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

S.B. 548, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN STOKES COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES; and

S.B. 615, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF KERNERSVILLE TO LEVY A MOTOR VEHICLE TAX OF UP TO TEN DOLLARS.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 597,** A BILL TO BE ENTITLED AN ACT TO BROADEN THE AUTHORITY OF MUNICIPALITIES AND HOSPITAL AUTHORITIES REGARDING LEASES AND JOINT VENTURES, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 16.

Senate Committee Substitute for **H.B. 746,** A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM HIGHER EDUCATION ADMISSION REQUIREMENTS FOR NONPUBLIC SCHOOL STUDENTS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 16.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 806,** A BILL TO BE ENTITLED AN ACT PERTAINING TO THE CONTROL OF LEAD EXPOSURE OF CHILDREN, is read the first time and referred to the Committee on Human Resources.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 772,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SHALLOTTE TO AUTHORIZE THE TOWN TO ENFORCE ORDINANCES AS PROVIDED IN THE GENERAL LAW.

On motion of Representative Redwine, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (104-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 5,** A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS.

On motion of Representative Aldridge, the House concurs in the Senate committee substitute, by electronic vote (107-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute No. 2 for **H.B. 260,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONSERVATION EASEMENTS PROGRAM THAT USES CONSERVATION TAX CREDITS FOR THE PROTECTION OF NATURAL RESOURCES AND THAT FURTHERS APPROPRIATE PUBLIC USE OF NATURAL RESOURCES, TO CREATE THE FACILITATION AND ASSISTANCE GRANT FUND TO SUPPORT COOPERATIVE CONSERVATION EFFORTS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

On motion of Representative Gray, the House concurs in Senate Committee Substitute No. 2, which changes the title, by electronic vote (109-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 374,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT TO INCREASE THE ALLOWABLE EXPENSE FOR FUNERALS AND TO MAKE VICTIMS OF HIT AND RUN ACCIDENTS AND VICTIMS OF TERRORISM ELIGIBLE FOR COMPENSATION.

On motion of Representative Baddour, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 448,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED.

On motion of Representative Hackney and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

H.B. 465, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT BE NOTIFIED WHEN THE PROSECUTOR TAKES A VOLUNTARY DISMISSAL OF THE CHARGES AGAINST THE DEFENDANT AND NEITHER THE DEFENDANT NOR THE DEFENDANT'S ATTORNEY IS PRESENT AT THE TIME OF THE DISMISSAL.

On motion of Representative Sutton, the House concurs in the Senate amendment, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 484,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS.

On motion of Representative Weatherly, the House concurs in the Senate committee substitute, by electronic vote (60-50), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 907,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT ACTIONS INVOLVING CERTAIN FAMILY ISSUES.

On motion of Representative Baddour, the House concurs in the Senate committee substitute, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES COLLECTED UNDER THE PHARMACY PRACTICE ACT.

On motion of Representative Jarrell, the House concurs in the Senate amendment, by electronic vote (108-3), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 958,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONCEALED HANDGUN LAWS.

On motion of Representative Hightower, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (105-6), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1008,** A BILL TO BE ENTITLED AN ACT REGARDING THE EDUCATIONAL REQUIREMENTS FOR CHIROPRACTIC LICENSURE AND TO AUTHORIZE THE BOARD TO LICENSE PERSONS WHO HAVE PASSED THE NATIONAL CHIROPRACTIC EXAMINATION.

On motion of Representative Watson, the House concurs in the Senate committee substitute, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING.

On motion of Representative R. Hunter, the House does not concur in the Senate amendment, by electronic vote (111-1), and conferees are requested.

The Speaker appoints Representative Daughtry, Chair; Representatives R. Hunter, Hardy, Jeffus, and Clary as conferees on the part of the House and the Senate is so notified by Special Message.

House Committee Substitute for **S.B. 69,** A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

Representative Baker offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Creech, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Gardner, Goodwin, Grady, Gray, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Barbee, Berry, Ellis, Fox, and Nichols - 5.

Representatives Redwine and Tallent state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (104-0).

Committee Substitute for **H.B. 251,** A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS CERTIFICATION COMMISSION, TO REQUIRE THAT WELL CONTRACTORS BE CERTIFIED, AND TO MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis,

Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representatives Allred, Blue, and Wood - 3.

Excused absences: Representatives Barbee, Berry, Ellis, Fox, and Nichols - 5.

BILL RECALLED FROM ENROLLING

On motion of Representative McComas, Senate Committee Substitute for **H.B. 484,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, is recalled from Enrolling by electronic vote (106-3).

Having voted with the prevailing side, Representative McComas moves that the vote by which the House concurred in the Senate committee substitute be reconsidered. The motion carries by electronic vote (106-3).

On motion of Representative Weatherly, the House does not concur in the Senate committee substitute, by electronic vote (104-7), and the Senate is so notified by Special Message.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 1094,** A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR PREEMPTED PROVISIONS OF THE GENERAL STATUTES AFFECTING RAILROADS, TO RECODIFY CERTAIN RAILROAD STATUTES, AND TO MAKE CONFORMING CHANGES AND CLARIFYING CHANGES.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by electronic vote (109-1), and is ordered engrossed and sent to the Senate.

RE-REFERRAL

On motion of Representative Esposito, pursuant to Rule 39.2 and without objection, **S.B. 178,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF CULTURAL RESOURCES TO PROPOSE LANDS TO BE ACQUIRED WITH FUNDS FROM THE NATURAL HERITAGE TRUST FUND, TO AUTHORIZE EXPENDITURES FROM THE FUND FOR CONSERVATION AND PROTECTION PLANNING AND EDUCATIONAL PROGRAMS FOR OWNERS OF NATURE PRESERVES UNDER THE NATURE PRESERVES ACT, AND TO AUTHORIZE THE BOARD OF TRUSTEES OF THE FUND TO ENTER INTO AGREEMENTS FOR THE MANAGEMENT OF ACQUIRED LANDS WITH QUALIFIED NONPROFIT ORGANIZATIONS, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Environment.

On motion of Representative Morgan, seconded by Representative Alexander, the House adjourns at 12:45 p.m. to reconvene Monday, June 16, 1997, at 6:00 p.m.

SEVENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 16, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Davis.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-1).

Representative Arnold states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (91-1).

Leaves of absence are granted Representatives Easterling, Eddins, Ellis, Nesbitt, Redwine, Sutton, Wainwright, and Wilkins for today. Representatives Cunningham, Goodwin, R. Hunter, Jeffus, Luebke, Miller, and Wood are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 765, AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO DEDICATE ADEQUATE FUNDING TO STUDENTS IN ALTERNATIVE SCHOOLS.

H.B. 5, AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS.

H.B. 195, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MAKE CLARIFYING CHANGES TO POST-RELEASE SUPERVISION.

H.B. 260, AN ACT TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, TO ENSURE THAT CONSERVATION AND PRESERVATION AGREEMENTS ARE CONSIDERED IN DETERMINING THE APPRAISED VALUE OF LAND AND IMPROVEMENTS, AND TO ESTABLISH THE CONSERVATION GRANT FUND.

H.B. 374, AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT TO INCREASE THE ALLOWABLE EXPENSE FOR FUNERALS, TO MAKE VICTIMS OF HIT AND RUN ACCIDENTS AND VICTIMS OF TERRORISM ELIGIBLE FOR COMPENSATION, AND TO PROVIDE THAT COLLATERAL SOURCES FOR THE PAYMENT OF FUNERAL EXPENSES SHALL NOT CONSTITUTE GROUNDS FOR DENIAL OR REDUCTION OF AN AWARD OF COMPENSATION.

H.B. 465, AN ACT TO PROVIDE THAT A DEFENDANT BE NOTIFIED WHEN THE PROSECUTOR TAKES A VOLUNTARY DISMISSAL OF THE CHARGES AGAINST THE DEFENDANT AND NEITHER THE DEFENDANT NOR THE DEFENDANT'S ATTORNEY IS PRESENT AT THE TIME OF THE DISMISSAL.

H.B. 907, AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT ACTIONS INVOLVING CERTAIN FAMILY ISSUES.

H.B. 933, AN ACT TO INCREASE THE FEES COLLECTED UNDER THE PHARMACY PRACTICE ACT.

H.B. 958, AN ACT TO AMEND THE CONCEALED WEAPON AND CONCEALED HANDGUN PERMIT LAWS.

H.B. 1008, AN ACT REGARDING THE EDUCATIONAL REQUIREMENTS FOR CHIROPRACTIC LICENSURE AND TO AUTHORIZE THE BOARD TO LICENSE PERSONS WHO HAVE PASSED THE NATIONAL CHIROPRACTIC EXAMINATION.

H.B. 102, AN ACT TO REQUIRE THAT THERE BE AT LEAST ONE VOTING PLACE IN MITCHELL COUNTY WITHIN EVERY TOWNSHIP THAT EXISTED IN 1995.

H.B. 342, AN ACT TO RAISE THE THRESHOLD FOR THE INFORMAL BIDDING PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE COUNTY OF MECKLENBURG.

H.B. 604, AN ACT TO ALLOW THE TOWNS OF MOREHEAD CITY AND NEWPORT TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION OVER AN AREA EXTENDING NOT MORE THAN TWO MILES FROM THEIR CORPORATE LIMITS.

H.B. 687, AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR HENDERSON COUNTY.

H.B. 772, AN ACT TO AMEND THE CHARTER OF THE TOWN OF SHALLOTTE TO AUTHORIZE THE TOWN TO ENFORCE ORDINANCES AS PROVIDED IN THE GENERAL LAW, TO ANNEX PROPERTY TO THE TOWN OF SHALLOTTE, AND TO CORRECT AN

ERROR IN THE DESCRIPTION OF DISTRICTS IN THE WHITEVILLE CITY SCHOOL ADMINISTRATIVE UNIT.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 936, AN ACT TO PROVIDE PRIORITY IN EMPLOYMENT ASSISTANCE FOR UNITED STATES ARMED FORCES VETERANS. (S.L. 1997-171)

S.B. 626, AN ACT TO ESTABLISH IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES THE OFFICE OF WOMEN'S HEALTH. (S.L. 1997-172)

H.B. 999, AN ACT TO CLARIFY THE AUTHORITY OF THE SOIL AND WATER CONSERVATION COMMISSION TO CONDUCT INSPECTIONS. (S.L. 1997-173)

S.B. 891, AN ACT TO UPDATE AND REVISE THE LAWS AFFECTING LOCAL GOVERNMENT CONTRACTING. (S.L. 1997-174)

H.B. 615, AN ACT TO CHANGE THE METHOD OF APPOINTING THE PUBLIC DEFENDER IN DISTRICT 16B. (S.L. 1997-175)

H.B. 897, AN ACT TO AMEND THE REQUIREMENTS PERTAINING TO THE NUMBER OF MEMBERS OF ADVISORY COMMITTEES OF NURSING HOMES AND REST HOMES. (S.L. 1997-176)

H.B. 948, AN ACT TO AUTHORIZE THE BOARD OF PHARMACY TO ESTABLISH A RECOVERY AND REHABILITATION PROGRAM FOR PHARMACISTS. (S.L. 1997-177)

H.B. 966, AN ACT TO PROVIDE FOR OPTIONS IN FLAG AND LIGHT COLORS FOR EXTENDED TRUCKLOADS. (S.L. 1997-178)

H.B. 1024, AN ACT TO ALLOW FOR THE LICENSING OF CERTAIN SUBSIDIARIES OF INSURERS OWNED OR CONTROLLED BY FOREIGN GOVERNMENTS. (S.L. 1997-179)

H.B. 1050, AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES TO DONATE UNCLAIMED BICYCLES TO CHARITY. (S.L. 1997-180)

H.B. 134, AN ACT TO ENACT THE REVISED ARTICLE 8 OF THE UNIFORM COMMERCIAL CODE AND CONFORMING AND MISCELLANEOUS AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 1997-181)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.J.R. 1080, A JOINT RESOLUTION HONORING THE LIFE, SERVICE, AND MEMORY OF CHARLES DUNN, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on today's Calendar.

By Representative Neely for the Committee on Judiciary II:

S.B. 667, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIMINAL OFFENSE OF STALKING, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Russell and Shubert, Co-Chairs, for the Committee on Education:

S.B. 5, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 875,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, TO REVISE THE LAW GOVERNING THE DISPOSITION OF CERTAIN BIRTH AND DEATH CERTIFICATES, AND TO ESTABLISH A STUDY OF LAND TITLE REGISTRATION PROCEDURES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 885,** A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE LAW REGARDING THE TIME FOR EXECUTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 910, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS ON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute for **H.B. 484,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS: Representative Weatherly, Chair; Representatives Hackney, Culp, McComas, Starnes, and Hightower.

The Senate is so notified by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representatives Russell and G. Wilson, Co-Chairs, for the Permanent Subcommittee on Capital and Budget of the Standing Committee on

Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 537,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 530,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN CORPORATIONS WHICH OFFER ENGINEERING, LANDSCAPE ARCHITECTURAL, AND GEOLOGICAL SERVICES FROM THE APPLICABILITY OF THE PROFESSIONAL CORPORATION ACT, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 17.

Upon concurrence, the Senate committee substitute changes the title.

INTRODUCTION OF PAGES

Pages for the week of June 16 are introduced to the membership. They are: Jennifer Louise Rose Andrews of Johnston; Jonathan Brubaker of Randolph; Jamie Lynn Burke of Wake; Curtis Paul Cole of Randolph; Christopher John Cooper of Wake; Megahn Elizabeth Dimette of Wilkes; Laura Grace Franklin of Buncombe; Mary Jeannette Garber of Wake; Jennifer Gasque of Robeson; Vera Kathryn Gould of Henderson; Benjamin Miller Gullett of Rockingham; Korry Lane Humphrey of Mecklenburg; Elisheba Ittoop of Wake; Vernice Nicole Lassiter of Robeson; Ashley Elizabeth Lorance of Gaston; Emily Danielle Lorance of Gaston; Benjamin Jordan Matthews of Wake; Elizabeth Hill Parker of Johnston; Jordan David Prince of Wake; Brady William Rinehart of Wake; Christopher Slaydon of Caswell; William Briggs Smith, III, of Johnston; Andrew Mebane Southerland of Lenoir; Kenneth Stevens of Cumberland; Thomas Blair Sweeney of

Caldwell; Jordan Leigh Watford of Davidson; and Mary Monique Whitfield of Cumberland.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 597,** A BILL TO BE ENTITLED AN ACT TO BROADEN THE AUTHORITY OF MUNICIPALITIES AND HOSPITAL AUTHORITIES REGARDING LEASES AND JOINT VENTURES.

On motion of Representative McMahan, the House concurs in the Senate committee substitute, by electronic vote (92-4), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 746,** A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM HIGHER EDUCATION ADMISSION REQUIREMENTS FOR NONPUBLIC SCHOOL STUDENTS.

On motion of Representative Russell, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (94-2), and the bill is ordered enrolled and presented to the Governor.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Clary, Crawford, Creech, Culp, Culpepper, Davis, Dedmon, Dickson, Dockham, Earle, Esposito, Fox, Gamble, Gardner, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Thompson, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 93.

Voting in the negative: Representatives Boyd-McIntyre, Carpenter, Kiser, and Tolson - 4.

Excused absences: Representatives Cunningham, Easterling, Eddins, Ellis, Goodwin, R. Hunter, Luebke, Miller, Nesbitt, Redwine, Sutton, Wainwright, Wilkins, and Wood - 14.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Warner, **H.J.R. 1191,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LOYD EDWARD AUMAN, is withdrawn from the Calendar and placed on the Calendar of June 23.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 741,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

Representative Shubert offers Amendment No. 1 which fails of adoption by electronic vote (30-78).

The bill passes its second reading by electronic vote (55-54).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper, Committee Substitute No. 2 for **H.B. 301,** A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS, is withdrawn from the Calendar and placed on the Calendar of June 18.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 993,** A BILL TO BE ENTITLED

AN ACT TO ALLOW CREATION OF ADDITIONAL REGIONAL TRANSPORTATION AUTHORITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representatives Allred and Nichols - 2.

Excused absences: Representatives Easterling, Eddins, Ellis, Luebke, Nesbitt, Redwine, Sutton, Wainwright, and Wilkins - 9.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Thompson, House Committee Substitute for **S.B. 561,** A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED CAMPUS POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, is withdrawn from the Calendar and placed on the Calendar of June 26.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 1108,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Berry, Blue, Bonner, Bowie, Cansler, Church,

Clary, Cole, Crawford, Creech, Culp, Cunningham, Daughtry, Dickson, Dockham, Earle, Esposito, Fitch, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, H. Hunter, Insko, Ives, Jeffus, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Neely, Nichols, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Tolson, Weatherly, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 72.

Voting in the negative: Representatives Aldridge, Baker, Barbee, Beall, Black, Boyd-McIntyre, Brawley, Buchanan, Capps, Carpenter, Culpepper, Davis, Decker, Dedmon, Gardner, Hiatt, Howard, R. Hunter, Hurley, Jarrell, Justus, Kinney, Kiser, McAllister, Moore, Mosley, Nye, Ramsey, Reynolds, Shubert, Starnes, Tallent, Thompson, Warner, Warwick, Watson, and Wood - 37.

Excused absences: Representatives Easterling, Eddins, Ellis, Nesbitt, Redwine, Sutton, Wainwright, and Wilkins - 8.

S.J.R. 1080, A JOINT RESOLUTION HONORING THE LIFE, SERVICE, AND MEMORY OF CHARLES DUNN, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

Representative Carpenter requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-0).

The resolution passes its third reading and is ordered enrolled.

On motion of Representative Morgan, seconded by Representative Holmes, the House adjourns at 7:33 p.m. to reconvene June 17 at 10:00 a.m.

EIGHTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 17, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Look graciously, O Lord, upon this land, upon this State, upon we who have been granted leadership.

"Where there is pride, subdue it.
Where there is need, supply it.
When we are in error, rectify it.
When we are in default, restore it.
And, when we hold to that which is just
and compassionate, support it.

"Have mercy upon us! Amen!"

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Arnold, Easterling, Eddins, Nesbitt, and Wainwright for today. Representative Bowie is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 71, AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS, FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, AND TO MAKE TECHNICAL CORRECTIONS REGARDING THE REVIEW BY THE LOCAL GOVERNMENT COMMISSION OF CERTAIN LEASES, LEASE PURCHASE CONTRACTS, AND INSTALLMENT PURCHASE CONTRACTS.

S.B. 142, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS.

S.B. 393, AN ACT TO MANDATE THE REVOCATION OF A PERSON'S DRIVERS LICENSE OR LIMITED DRIVING PRIVILEGE FOR WILLFUL FAILURE TO COMPLETE COURT-ORDERED COMMUNITY SERVICE AND TO ELIMINATE THE REQUIREMENT FOR JUDICIAL INVOLVEMENT IN THE APPOINTMENT OF COMMUNITY SERVICE COORDINATORS.

S.B. 997, AN ACT TO PROVIDE THAT A PERSON WHO IGNORES A WARNING REGARDING PERSONAL SAFETY IN A DISASTER SITUATION AND PLACES HIMSELF OR HERSELF OR ANOTHER IN DANGER AND REQUIRES AN EMERGENCY RESCUE IS CIVILLY LIABLE FOR THE COSTS OF THE RESCUE EFFORT.

H.B. 597, AN ACT TO BROADEN THE AUTHORITY OF MUNICIPALITIES AND HOSPITAL AUTHORITIES REGARDING LEASES AND JOINT VENTURES.

H.B. 746, AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REVIEW AND ADOPT A POLICY REGARDING UNIFORM HIGHER EDUCATION ADMISSIONS REQUIREMENTS FOR NONPUBLIC SCHOOL STUDENTS.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 198, AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES.

CHAPTERED BILLS

The following bill and resolution are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 1080, A JOINT RESOLUTION HONORING THE LIFE, SERVICE, AND MEMORY OF CHARLES DUNN. (RESOLUTION 17)

S.B. 447, AN ACT TO ESTABLISH THE LUMBERTON ECONOMIC DEVELOPMENT AND TOURIST DISTRICT AND TO AUTHORIZE

THE ISSUANCE OF CERTAIN ABC PERMITS IN THIS TYPE OF DISTRICT. (S.L. 1997-182)

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 16, 1997

Mr. Speaker:

Pursuant to your message received Thursday, June 12, 1997, that the House of Representatives fails to concur in Senate Amendment No. 1 to **H.B. 1140,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, and requests conferees, the President Pro Tempore appoints:

Senator Horton, Chairman
Senator Ballance
Senator Wellons

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 16, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendment No. 1 to **S.B. 764** (Committee Substitute), A BILL TO BE ENTITLED AN

ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION, and requests conferees. The President Pro Tempore appoints:

Senator Kerr, Chairman
Senator Hoyle
Senator Ballantine

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representative Mitchell, Chair; Representatives Daughtry and Hill as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 414, A JOINT RESOLUTION HONORING THE ACCOMPLISHMENTS OF COACH DEAN EDWARDS SMITH AND THE MEN'S BASKETBALL PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 530,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN CORPORATIONS WHICH OFFER ENGINEERING, LANDSCAPE ARCHITECTURAL, AND GEOLOGICAL SERVICES FROM THE APPLICABILITY OF THE PROFESSIONAL CORPORATION ACT.

On motion of Representative Neely, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 741,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

Representative Hall offers Amendment No. 2 which fails of adoption by electronic vote (46-67).

Representative Ellis offers Amendment No. 3 which fails of adoption by electronic vote (28-83).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (70-43).

The bill passes its third reading, by electronic vote (73-42), and is ordered sent to the Senate for concurrence in House committee substitute.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Decker and without objection, Committee Substitute for **S.B. 643,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GREENSBORO CITY COUNCIL MEMBERS, and Committee Substitute for **S.B. 644,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY HIGH POINT CITY COUNCIL MEMBERS, are withdrawn from the Calendar and placed on the Calendar of June 24.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 645,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GUILFORD COUNTY BOARD OF EDUCATION MEMBERS, passes its second reading.

Representative Adams objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for **H.B. 993,** A BILL TO BE ENTITLED AN ACT TO ALLOW CREATION OF ADDITIONAL REGIONAL

TRANSPORTATION AUTHORITIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Hackney, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Allred, Ellis, Nichols, Reynolds, and Shubert - 5.

Excused absences: Representatives Arnold, Easterling, Eddins, Nesbitt, and Wainwright - 5.

Committee Substitute No. 2 for **H.B. 1108,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES.

Representative Decker offers Amendment No. 1 which fails of adoption by electronic vote (19-90).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Alexander, Allred, Baddour, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Cansler, Church, Clary, Creech, Culp, Cunningham, Daughtry, Dickson, Earle, Esposito, Fitch, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nichols, Oldham, Owens, Preston, Rayfield,

Redwine, Rogers, Russell, Saunders, Sherrill, Smith, Sutton, Tolson, Weatherly, Wilkins, C. Wilson, Womble, Wright, and Yongue - 73.

Voting in the negative: Representatives Adams, Aldridge, Baker, Barbee, Beall, Black, Brawley, Brown, Buchanan, Capps, Carpenter, Crawford, Culpepper, Davis, Decker, Dedmon, Ellis, Gardner, Hiatt, Howard, R. Hunter, Justus, Kinney, Kiser, Michaux, Moore, Nye, Ramsey, Reynolds, Sexton, Shubert, Starnes, Tallent, Thompson, Warner, Warwick, Watson, G. Wilson, and Wood - 39.

Excused absences: Representatives Arnold, Easterling, Eddins, Nesbitt, and Wainwright - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 1121,** A BILL TO BE ENTITLED AN ACT TO PROMOTE THE SAFE REUSE OF PROPERTIES WHERE ACTUAL CONTAMINATION, OR THE POSSIBILITY OF CONTAMINATION, HAS IMPEDED REDEVELOPMENT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Brown and Justus - 2.

Excused absences: Representatives Arnold, Easterling, Eddins, Nesbitt, and Wainwright - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 998, A BILL TO BE ENTITLED AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

CONFERENCE REPORT

Representative Grady sends forth the Conference Report on House Committee Substitute for **S.B. 272,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 18.

On motion of Representative Morgan, seconded by Representative Alexander, the House adjourns at 11:35 a.m., in memory of former Representative Ernest Messer who served with distinction from 1963 until 1981, to reconvene June 18 at 10:00 a.m.

EIGHTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 18, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"O Lord, this solemn prayer comes from deep desire,
may our lives be as pure as candle fire.
"Let our every breath dispel the world's gloom,
let our spirit glow so brightly that darkness meets its doom.
"May we be faithfully drawn to learning
as the moth is drawn to the candle's burning.

"May our lives be devoted to serving the needy
and to loving a sorrowful, ever suffering humanity.
"Lead us away from the path of temptation.
"O Lord, let truth alone be our destination. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-1).

Leaves of absence are granted Representatives Mercer, Nesbitt, Sutton, and Tolson for today. Representatives Creech and Thompson are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 329, AN ACT TO REPEAL THE REQUIREMENT THAT STATE SAVINGS BANKS USE THE LETTERS "SSB" OR THE WORDS "SAVINGS BANK" IN THEIR LEGAL NAME IN ORDER TO CONFORM WITH THE REQUIREMENTS APPLICABLE TO FEDERAL SAVINGS BANKS AND TO AMEND THE NORTH CAROLINA RECIPROCAL INTERSTATE BANKING ACT RELATING TO BANKS ACTING AS AGENTS FOR DEPOSITORY INSTITUTION AFFILIATES.

S.B. 366, AN ACT TO REVISE THE MEDIATION PROCEDURE FOR RESOLVING SCHOOL BUDGET DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS, AND TO CLARIFY THE SCOPE OF THE SCHOOL FACILITIES GUIDELINES.

H.B. 530, AN ACT TO EXEMPT CERTAIN CORPORATIONS WHICH OFFER ENGINEERING SERVICES FROM THE APPLICABILITY OF THE PROFESSIONAL CORPORATION ACT.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 102, AN ACT TO REQUIRE THAT THERE BE AT LEAST ONE VOTING PLACE IN MITCHELL COUNTY WITHIN EVERY TOWNSHIP THAT EXISTED IN 1995. (S.L. 1997-183)

H.B. 342, AN ACT TO RAISE THE THRESHOLD FOR THE INFORMAL BIDDING PROCEDURE FOR LETTING PUBLIC CONTRACTS BY THE COUNTY OF MECKLENBURG. (S.L. 1997-184)

H.B. 604, AN ACT TO ALLOW THE TOWNS OF MOREHEAD CITY AND NEWPORT TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION OVER AN AREA EXTENDING NOT MORE THAN TWO MILES FROM THEIR CORPORATE LIMITS. (S.L. 1997-185)

H.B. 687, AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR HENDERSON COUNTY. (S.L. 1997-186)

H.B. 772, AN ACT TO AMEND THE CHARTER OF THE TOWN OF SHALLOTTE TO AUTHORIZE THE TOWN TO ENFORCE ORDINANCES AS PROVIDED IN THE GENERAL LAW, TO ANNEX PROPERTY TO THE TOWN OF SHALLOTTE, AND TO CORRECT AN ERROR IN THE DESCRIPTION OF DISTRICTS IN THE WHITEVILLE CITY SCHOOL ADMINISTRATIVE UNIT. (S.L. 1997-187)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 320,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 625, A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN EXCESS OF THE POSTED SPEED ON SCHOOL

GROUNDS AN INFRACTION, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 897, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE ELECTRONIC SURVEILLANCE LAW, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

H.B. 811, A BILL TO BE ENTITLED AN ACT TO ANNEX THE GOLD ROCK I-95 INTERCHANGE AREA INTO THE CITY OF ROCKY MOUNT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 676,** A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Warner, Blue, Hightower, Hurley, Kinney, McAllister, Morris, and Yongue:

H.J.R. 1236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CALVIN LEE KOONCE, JR., is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 103,** A BILL TO BE ENTITLED AN ACT TO DESIGNATE NINETEEN PRECINCTS IN AVERY COUNTY, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 19.

Senate Committee Substitute for **H.B. 221,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A MAGISTRATE OR OTHER AUTHORIZED JUDICIAL OFFICIAL IN A NONCAPITAL CASE TO CONDUCT AN INITIAL APPEARANCE BY A TWO-WAY AUDIO AND VIDEO PROCEEDING, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 19.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 407,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary I.

Senate Committee Substitute for **H.B. 476,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES FOR VITAL RECORDS, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary I.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 529,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEFERRED TAXES DUE ON PROPERTY THAT IS TAXED AT ITS PRESENT-USE VALUE WILL BE PAID BY THE PERSON TO WHOM THE LAND IS TRANSFERRED IF THE PROPERTY IS TRANSFERRED BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION, is returned for concurrence in Senate amendment and placed on the Calendar of June 19. The Senate amendment is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate amendment changes the title.

Senate Committee Substitute for **H.B. 698,** A BILL TO BE ENTITLED AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 19. The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 834,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILMINGTON TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 19.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute No. 2 for **H.B. 1099,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES, is returned for concurrence in Senate Committee Substitute Bill No. 2 and placed on the Calendar of June 19.

Upon concurrence, Senate Committee Substitute Bill No. 2 changes the title.

Committee Substitute for **S.B. 730,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ISSUANCE OF BONDS BY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITIES, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Finance.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues:

H.B. 631, A BILL TO BE ENTITLED AN ACT RELATING TO FORSYTH COUNTY, reported to the Standing Committee on Finance with no action taken.

CONFERENCE REPORT TEMPORARILY DISPLACED

On motion of the Chair, the Conference Report on House Committee Substitute for **S.B. 272,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, is temporarily displaced.

CALENDAR

Action is taken on the following:

Committee Substitute for **S.B. 645,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GUILFORD COUNTY BOARD OF EDUCATION MEMBERS, passes its third reading, by electronic vote (85-26), and is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Brawley and without objection, House Committee Substitute for **S.B. 417,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT BIDDING, is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 556,** A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY

OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, passes its second reading.

Representative Capps objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for **H.B. 1121,** A BILL TO BE ENTITLED AN ACT TO PROMOTE THE SAFE REUSE OF PROPERTIES WHERE ACTUAL CONTAMINATION, OR THE POSSIBILITY OF CONTAMINATION, HAS IMPEDED REDEVELOPMENT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Mercer, Nesbitt, Sutton, and Tolson - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 924,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF EMPLOYEES OF AND APPLICANTS FOR EMPLOYMENT WITH THE DEPARTMENT OF HUMAN RESOURCES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan,

Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Mercer, Nesbitt, Sutton, and Tolson - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 301,** A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 921,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CONTINUING CARE FACILITIES THAT PROVIDE HUMANE AND PHILANTHROPIC CARE TO THE ELDERLY FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, passes its second reading by electronic vote (101-9).

Representative Miller objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 958,** A BILL TO BE ENTITLED AN ACT TO ALLOW STUDENTS WHO RESIDE WITH DOMICILIARIES OF A LOCAL SCHOOL ADMINISTRATIVE UNIT TO ATTEND THE PUBLIC SCHOOLS OF THAT UNIT WITHOUT THE PAYMENT OF TUITION, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 809,** A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA APPRAISERS ACT.

Representative Hackney offers Amendment No. 1 which is adopted.

Speaker Brubaker and Representative Wood request that they be excused from voting on this bill under Rule 24.1A and these requests are granted.

The bill, as amended, passes its second reading by electronic vote (100-5).

Representative Goodwin objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1066, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DETERMINE WHICH GROUPS OF STUDENTS ARE LIKELY TO SCORE BELOW BENCHMARKS ON STATEWIDE TESTS AND TO RECOMMEND WAYS TO FOCUS RESOURCES ON ADDRESSING THE NEEDS OF THOSE STUDENTS, passes its second reading, by electronic vote (104-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 442,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY.

Representative Justus calls the previous question on the passage of the bill and the call is sustained by electronic vote (68-42).

The bill passes its second reading by electronic vote (80-28).

Representative R. Hunter requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (81-28).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

The Conference Report on House Committee Substitute for **S.B. 272,** A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, which was temporarily displaced, is before the Body.

CONFERENCE REPORT

Representative Arnold moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 272

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 272, A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, Fifth Edition Engrossed 4/30/97, submit the following report:

The Senate and House agree to the following amendment to the Fifth Edition Engrossed 4/30/97 and the Senate concurs in the Fifth Edition as amended:

Delete the entire Fifth Edition and substitute the attached Proposed Conference Committee Substitute PCCS 4616.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 12, 1997.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Leslie Winner	S/ Gene G. Arnold
S/ Howard N. Lee	S/ Jean R. Preston
S/ John A. Garwood	S/ W. Robert Grady
S/ Fletcher L. Hartsell, Jr.	S/ Richard Eugene Rogers
S/ Walter H. Dalton	S/ Warren C. Oldham

The Conference Report is adopted, by electronic vote (110-1), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

House Committee Substitute for **S.B. 500,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Gray, Senior Ranking Member and Co-Chair for the Standing Committee on Finance, refers Committee Substitute for **H.B. 811,** A BILL TO BE ENTITLED AN ACT TO ANNEX THE GOLD ROCK I-95 INTERCHANGE AREA INTO THE CITY OF ROCKY MOUNT, to the Permanent Subcommittee on Local, Regional, and State Revenues.

On motion of Representative Morgan, seconded by Representative Braswell, the House adjourns at 12:32 p.m. to reconvene June 19 at 10:00 a.m.

EIGHTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, June 19, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

> "To every thing there is a season, and a time to every purpose under the heaven;
> A time to be born, and a time to die; a time to plant, and a time to pluck up that which is planted;
> A time to kill, and a time to heal; a time to break down, and a time to build up;
> A time to weep, and a time to laugh; a time to mourn, and a time to dance;
> A time to cast away stones, and a time to gather stones together; a time to embrace, and a time to refrain from embracing;
> A time to get, and a time to lose; a time to keep, and a time to cast away;
> A time to rend, and a time to sew; a time to keep silence, and a time to speak;
> A time to love, and a time to hate; a time of war, and a time of peace." (Ecclesiastes 3:1-8)

"Almighty and most merciful God,
from You comes every good and perfect gift.
This morning, we give You praise and thanks for all Your mercies.
Your goodness has created us, Your bounty has
sustained us, Your discipline has chastened us, Your patience has borne with us, Your love has redeemed us.
Give us a heart to love and serve You,
and enable us to show our thankfulness for all Your goodness and mercy by giving up ourselves to Your service,
and cheerfully submitting in all things to Your blessed will.
Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-1).

Leaves of absence are granted Representatives Gamble, R. Hunter, Mosley, Nesbitt, and Wood for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 272, AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT.

S.B. 1066, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DETERMINE WHICH GROUPS OF STUDENTS ARE LIKELY TO SCORE BELOW BENCHMARKS ON STATEWIDE TESTS AND TO RECOMMEND WAYS TO FOCUS RESOURCES ON ADDRESSING THE NEEDS OF THOSE STUDENTS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 69, AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

S.B. 645, AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GUILFORD COUNTY BOARD OF EDUCATION MEMBERS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 198, AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES. (S.L. 1997-188)

H.B. 406, AN ACT TO ALLOW CITIES AND COUNTIES TO ADOPT ORDINANCES THAT IMPOSE A CURFEW ON PERSONS UNDER THE AGE OF EIGHTEEN. (S.L. 1997-189)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 637, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIRECTOR OF TRANSPORTATION OF THE CITY OF CHARLOTTE TO SET CERTAIN SPEED LIMITS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

Committee Substitute for **S.B. 570,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "SCENIC RIVERS" REGISTRATION PLATE WITH THE NET PROCEEDS FROM THE SALE OF THE PLATES TO BE DEPOSITED IN THE CLEAN WATER MANAGEMENT TRUST FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 812, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE FEES TO THE STATE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 18, 1997

Mr. Speaker:

On **S.B. 272** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 227,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 23.

Upon concurrence, the Senate committee substitute changes the title.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Womble, Decker, Esposito, Gray, Oldham, and Sexton:

H.J.R. 1237, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MAZIE SPENCER WOODRUFF, A DEVOTED PUBLIC SERVANT AND COMMUNITY ACTIVIST, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 698,** A BILL TO BE ENTITLED AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS.

On motion of Representative Smith, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols,. Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Gamble, R. Hunter, Mosley, Nesbitt, and Wood - 5.

Committee Substitute for **H.B. 103,** A BILL TO BE ENTITLED AN ACT TO DESIGNATE NINETEEN PRECINCTS IN AVERY COUNTY.

On motion of Representative Buchanan, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 834,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILMINGTON TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES.

On motion of Representative Wright, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-1), and the bill is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Dickson and without objection, House Committee Substitute for **S.B. 921,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CONTINUING CARE FACILITIES THAT PROVIDE HUMANE AND PHILANTHROPIC CARE TO THE ELDERLY FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR (continued)

Committee Substitute for **H.B. 529,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEFERRED TAXES DUE ON PROPERTY THAT IS TAXED AT ITS PRESENT-USE VALUE WILL BE PAID BY THE PERSON TO WHOM THE LAND IS TRANSFERRED IF THE PROPERTY IS TRANSFERRED BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION.

On motion of Representative Clary, the House concurs in the material Senate amendment on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley,

Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: Representative Luebke.

Excused absences: Representatives Gamble, R. Hunter, Mosley, Nesbitt, and Wood - 5.

Senate Committee Substitute for **H.B. 221,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A MAGISTRATE OR OTHER AUTHORIZED JUDICIAL OFFICIAL IN A NONCAPITAL CASE TO CONDUCT AN INITIAL APPEARANCE BY A TWO-WAY AUDIO AND VIDEO PROCEEDING.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute No. 2 for **H.B. 1099,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES.

On motion of Representative Preston, the House concurs in Senate Committee Substitute No. 2, by electronic vote (107-3), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 556,** A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE, GREENSBORO, AND RALEIGH AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION.

Representative Ellis offers Amendment No. 1 which is adopted by electronic vote (70-41). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

House Committee Substitute for **S.B. 924,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF EMPLOYEES OF AND APPLICANTS FOR EMPLOYMENT WITH THE DEPARTMENT OF HUMAN RESOURCES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Gamble, R. Hunter, Mosley, Nesbitt, and Wood - 5.

House Committee Substitute for **S.B. 809,** A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA APPRAISERS ACT.

On motion of Representative Howard and without objection, the bill is postponed until June 24.

House Committee Substitute for **S.B. 442,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY.

Representative Russell offers Amendment No. 1 which is adopted by electronic vote (114-0).

Representative Hackney offers Amendment No. 2.

Representative Ellis inquires of the Chair if Amendment No. 2 may be divided. The Speaker rules that the amendment may be divided pursuant to Rule 24.1B.

On motion of the Chair, the bill with pending amendment is temporarily displaced.

MOTION TO WITHDRAW BILL FROM CALENDAR

Representative Fitch moves that House Committee Substitute for **S.B. 535,** A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF CHEROKEE, CLAY, GUILFORD, MACON, AND POLK COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, be withdrawn from the Calendar and placed on the Calendar of June 26. The motion fails by electronic vote (38-74).

CALENDAR (continued)

House Committee Substitute for **S.B. 535,** A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF CABARRUS, CAMDEN, CHEROKEE, CLAY, GUILFORD, MACON, AND POLK COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY.

Representative Hardaway offers Amendment No. 1 which is adopted by electronic vote (113-0). This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (113-1), and the caption having been amended, the bill remains on the Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Justus and without objection, House Committee Substitute for **S.B. 442,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY, with pending Amendment No. 2, is withdrawn from the Calendar and placed on the Calendar of June 24.

On motion of Representative Daughtry and without objection, House Committee Substitute for **S.B. 561,** A BILL TO BE ENTITLED AN ACT

TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED CAMPUS POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, is withdrawn from the Calendar of June 26 and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, seconded by Representative Hall, the House adjourns at 11:05 a.m. to reconvene Monday, June 23, 1997, at 6:00 p.m.

EIGHTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, June 23, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"O God, You are the source of all that which is good and honest and pure and truthful. You alone hold the keys to our definition as holy and faithful people. We often think that we hold the keys to the future and that we are masters of our own destinies. Eternal God, have mercy upon us, and help us to remember that only You are sovereign. By Your grace, extend to each of us the privilege of sharing in the affairs of human government so that by holding onto Your hand, we might make our world a better place. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Easterling, Gardner, Hackney, Luebke, Nesbitt, Rogers, Sutton, Wainwright, and Wood for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 221, AN ACT TO AUTHORIZE A MAGISTRATE OR OTHER AUTHORIZED JUDICIAL OFFICIAL IN A NONCAPITAL CASE TO CONDUCT AN INITIAL APPEARANCE BY A TWO-WAY AUDIO AND VIDEO PROCEEDING AND TO ALLOW SWORN LAW ENFORCEMENT OFFICERS TO APPEAR BEFORE JUDICIAL OFFICIALS BY A TWO-WAY AUDIO AND VIDEO TO OBTAIN ARREST WARRANTS.

H.B. 1099, AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 741, AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION.

H.B. 103, AN ACT TO DESIGNATE NINETEEN PRECINCTS IN AVERY COUNTY.

H.B. 834, AN ACT TO ALLOW THE CITIES OF LENOIR AND WILMINGTON TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 69, AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION. (S.L. 1997-190)

S.B. 645, AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GUILFORD COUNTY BOARD OF EDUCATION MEMBERS. (S.L. 1997-191)

H.B. 1051, AN ACT PERTAINING TO THE DUTY OF HOSPITALS AND OTHER AGENCIES WITH RESPECT TO ORGAN PROCUREMENT AND DONATION. (S.L. 1997-192)

H.B. 499, AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS. (S.L. 1997-193)

S.B. 376, AN ACT TO AUTHORIZE TEACHING HOSPITALS AFFILIATED WITH CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO ESTABLISH CAMPUS LAW ENFORCEMENT AGENCIES. (S.L. 1997-194)

S.B. 430, AN ACT TO PROVIDE TITLE PROTECTION FOR THE PROFESSION OF INDUSTRIAL HYGIENISTS. (S.L. 1997-195)

S.B. 465, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH FISCAL POLICIES FOR ENGINEERING AND DESIGN CONTRACTS WHICH WILL PROMOTE ENGINEERING AND DESIGN QUALITY AND ENSURE MAXIMUM COMPETITION AMONG COMPETING PROFESSIONAL FIRMS. (S.L. 1997-196)

S.B. 785, AN ACT TO REMOVE THE SUNSET ON CERTAIN DIRECT PAYMENTS UNDER HEALTH INSURANCE POLICIES AND PLANS. (S.L. 1997-197)

S.B. 816, AN ACT TO ELIMINATE THE NEED TO OBTAIN PRIOR APPROVAL FROM THE WILDLIFE RESOURCES COMMISSION TO RAISE YELLOW PERCH COMMERCIALLY IN SOME AREAS OF THE STATE AND TO ALLOW ALLIGATORS TO BE RAISED COMMERCIALLY. (S.L. 1997-198)

S.B. 855, AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION. (S.L. 1997-199)

S.B. 953, AN ACT TO EXTEND THE TIME CORPORATIONS MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION. (S.L. 1997-200)

H.B. 833, AN ACT TO AMEND THE GENERAL STATUTES TO PROVIDE MUNICIPALITIES WITH ADDITIONAL OPTIONS FOR SERVICE OF PROCESS IN HOUSING CODE CASES. (S.L. 1997-201)

S.B. 892, AN ACT TO LIMIT THE RIGHT OF CERTAIN SHAREHOLDERS TO DISSENT FROM CORPORATE ACTIONS AND TO AMEND THE LAW GOVERNING OFFERS OF PAYMENT TO DISSENTERS. (S.L. 1997-202)

S.B. 896, AN ACT TO AMEND THE LAW GOVERNING THE PRACTICE OF LAW BY ATTORNEYS REPRESENTING CORPORATIONS. (S.L. 1997-203)

S.B. 1011, AN ACT TO REQUIRE LOCAL BOARDS TO ADMIT OTHERWISE ELIGIBLE CHILDREN TO KINDERGARTEN AFTER THE FIRST MONTH OF SCHOOL. (S.L. 1997-204)

S.B. 1064, AN ACT TO ALLOW A TAXPAYER WHO PREVAILS IN A PROPERTY TAX APPEAL TO RECEIVE INTEREST ON ANY OVERPAYMENT OF TAX AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS PROPERTY TAX ISSUES. (S.L. 1997-205)

H.B. 194, AN ACT TO ESTABLISH AN ACCOUNT WITHIN THE CLEAN WATER REVOLVING LOAN AND GRANT FUND SO THAT FUNDS MADE AVAILABLE UNDER THE FEDERAL SAFE DRINKING WATER ACT AMENDMENTS OF 1996 MAY BE USED BY THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-206)

H.B. 994, AN ACT TO ALLOW PAY TELEPHONE PROVIDERS TO OBTAIN LINE ACCESS FROM COMPETITIVE LOCAL PROVIDERS OF TELEPHONE SERVICE AND TO ELIMINATE THE STATUTORY REQUIREMENT THAT LINE ACCESS RATES BE SET ON A MEASURED RATE BASIS. (S.L. 1997-207)

H.B. 482, AN ACT TO ALLOW ALL HANDICAPPED PERSONS TO USE A REGISTERED SIGNATURE FACSIMILE AS A MARK OF THEIR LEGAL SIGNATURE. (S.L. 1997-208)

S.B. 153, AN ACT TO EXTEND THE SCRAP TIRE DISPOSAL TAX AT ITS CURRENT RATE FOR FIVE MORE YEARS, TO AMEND THE SCRAP TIRE DISPOSAL ACT TO DISCOURAGE THE DISPOSAL OF SCRAP TIRES FROM OUTSIDE THE STATE, AND TO COMPLETE THE CLEANUP OF NUISANCE TIRE COLLECTION SITES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-209)

H.B. 81, AN ACT TO ESTABLISH A NINETY-DAY WAITING PERIOD FOR NEW RESIDENTS OF NORTH CAROLINA WHO NEED RESIDENCE IN ADULT CARE HOMES AND WHO NEED STATE-COUNTY SPECIAL ASSISTANCE FUNDS TO PAY FOR THEIR CARE. (S.L. 1997-210)

H.B. 277, AN ACT PROHIBITING CERTAIN RELATIVES OF A CANDIDATE FOR NOMINATION OR ELECTION FROM SERVING ON THE COUNTY BOARD OF ELECTIONS. (S.L. 1997-211)

H.B. 535, AN ACT TO INCLUDE NONVESTED PENSION, RETIREMENT, AND OTHER DEFERRED COMPENSATION RIGHTS AS MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION. (S.L. 1997-212)

H.B. 15, AN ACT TO CONFORM TO FEDERAL TAX TREATMENT OF INCOME RESTORED UNDER A CLAIM OF RIGHT. (S.L. 1997-213)

H.B. 945, AN ACT TO PROVIDE THAT CERTAIN PART-TIME BACCALAUREATE DEGREE STUDENTS ARE ELIGIBLE FOR NURSING SCHOLARSHIP LOANS. (S.L. 1997-214)

S.B. 162, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND SIMILAR MINOR CHANGES TO THE ADOPTION LAWS AS FOUND IN CHAPTER 48 OF THE GENERAL STATUTES INVOLVING CERTIFICATION OF DOCUMENTS, NOTICE, PROCEDURES FOR REPORTS TO THE COURT, ACCEPTANCE OF RELINQUISHMENTS BY AGENCIES, INDEXING, CAPTIONS ON ADOPTION PETITIONS, AND STANDBY GUARDIANS; TO STANDARDIZE PROCEDURES FOR REQUESTING NEW BIRTH CERTIFICATES IN ALL ADOPTIONS; AND TO AMEND PROVISIONS FOR OBTAINING CERTIFICATION OF IDENTIFICATION FOR INDIVIDUALS OF FOREIGN BIRTH AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO ALLOW FOR PREBIRTH RIGHT-TO-CONSENT

DETERMINATION, CLARIFY WHEN COUNTY DEPARTMENTS OF SOCIAL SERVICES MUST DO PREPLACEMENT ASSESSMENTS, TO ADD CHILDREN TO THE LIST OF PERSONS WHO CAN GET COPIES OF BIRTH CERTIFICATES OF ADOPTEES, TO EXTEND THE EFFECTIVE PERIOD OF PREPLACEMENT ASSESSMENTS TO EIGHTEEN MONTHS, TO PROVIDE THAT EXECUTION OF A RELINQUISHMENT DOES NOT TERMINATE THE DUTY OF SUPPORT, AND TO PERMIT ALL RELINQUISHMENTS TO BE RESCINDED BY MUTUAL AGREEMENT. (S.L. 1997-215)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1231, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 170, A BILL TO BE ENTITLED AN ACT TO EXEMPT FUNERAL EXPENSES FROM SALES TAX, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 480, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 524, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN A FUND FOR ALCOHOL STUDIES ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATIONAL REQUIREMENTS FOR AUCTIONEERS, APPRENTICE AUCTIONEERS, AND PRINCIPALS IN AN AUCTION FIRM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 784,** A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND SIMPLIFICATION BY CONFORMING STATE TAX LAW TO THE FEDERAL RULE THAT GRANTS A FILING EXTENSION EVEN IF THE REQUEST IS NOT ACCOMPANIED BY PAYMENT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 521,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS ON SEXUAL ASSAULT FOR INMATES AND EMPLOYEES OF THE DEPARTMENT OF CORRECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 433,** A BILL TO BE ENTITLED AN ACT TO EXEMPT A SWORN LAW ENFORCEMENT OFFICER OR A RETIRED SWORN LAW ENFORCEMENT OFFICER FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR A PERMIT WITHIN ONE YEAR OF RETIREMENT, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 24.

Upon concurrence, the Senate committee substitute changes the title.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Insko and without objection, Senate Committee Substitute for **H.B. 227,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is withdrawn from the Calendar and placed on the Calendar of June 24.

INTRODUCTION OF PAGES

Pages for the week of June 23 are introduced to the membership. They are: Kristen Lea Aschbrenner of Wake; Michelle Lee Bass of Chowan; James Gerrin Benton, II, of Bladen; Anna Braswell of Lenoir; Morgan Elizabeth Cates of Person; Cassandra Lynn Clough of Wake; Lauren Elizabeth Cole of Wake; Laura Elizabeth Cress of Wake; Kevin Francis Dalton, II, of Scotland; Talia Marie Gale of Mecklenburg; Meredith Kathryn Gregory of Wilkes; Sara Denise Grubbs of Caldwell; Julia Lea Hall of Alamance; Stephanie Brooks House of Mecklenburg; Laticia A. King of Wake; Sarah McCoy of Wake; Leslie Waddell Merritt, III, of Wake; Kathryn Cutler Midyette of Craven; Elizabeth A. Milligan of Brunswick; Karen Arlene Neal of Caldwell; John Julian Pugh of Randolph; Brooks Morgan Rockwell of Wayne; Mary Ann Smith of Bladen; Justin E. Stahl of Wake; Sallie Lynn Styers of Wilkes; Meredith Helen Vaughan of Wake; Su-Anne Ward of Duplin; Shawn Michael Weir of Columbus; Melissa Gayle Williams of Yadkin; and Whitley Worthington of Lenoir.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 698,** A BILL TO BE ENTITLED AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS.

On motion of Representative Smith, the House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Easterling, Gardner, Hackney, Luebke, Nesbitt, Rogers, Sutton, Wainwright, and Wood - 9.

Committee Substitute for **H.B. 529,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEFERRED TAXES DUE ON PROPERTY THAT IS TAXED AT ITS PRESENT-USE VALUE WILL BE PAID BY THE PERSON TO WHOM THE LAND IS TRANSFERRED IF THE PROPERTY IS TRANSFERRED BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION.

On motion of Representative Clary, the House concurs in the material Senate amendment, which changes the title, on its third roll call reading, by

the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Easterling, Gardner, Hackney, Luebke, Nesbitt, Rogers, Sutton, Wainwright, and Wood - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 500,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION AND TO MODIFY THE PROVISIONS FOR NO-WAKE ZONES ON LAKE NORMAN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey,

Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Easterling, Gardner, Hackney, Luebke, Nesbitt, Rogers, Sutton, Wainwright, and Wood - 9.

House Committee Substitute for **S.B. 556,** A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE AND GREENSBORO AND WITHIN THEIR EXTRA-TERRITORIAL PLANNING JURISDICTION.

The bill, as amended, passes its third reading, by electronic vote (104-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 537,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Easterling, Gardner, Hackney, Luebke, Nesbitt, Rogers, Sutton, Wainwright, and Wood - 9.

House Committee Substitute for **S.B. 535,** A BILL TO BE ENTITLED AN ACT REQUIRING CONSENT OF CERTAIN COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY.

Representative Goodwin offers Amendment No. 2 which is adopted by electronic vote (109-0). This amendment changes the bill from local to public.

Representative Nichols offers Amendment No. 3 which is adopted by electronic vote (108-0).

Representative Allred offers Amendment No. 4 which is adopted by electronic vote (105-0).

Representative Mercer offers Amendment No. 5 which is adopted by electronic vote (108-1).

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

H.J.R. 1191, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LOYD EDWARD AUMAN, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 457, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAM TO PROVIDE INSTRUCTION ON THE PERFORMANCE OF CARDIO-PULMONARY RESUSCITATION AND THE HEIMLICH MANEUVER, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 508,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TURKEY GROWER SHALL NOT BE DISQUALIFIED FROM USE VALUE TAXATION FOR A TWO-YEAR PERIOD IF THE GROWER'S LAND IS TAKEN OUT OF PRODUCTION SOLELY BECAUSE OF THE PRESENCE OF TURKEY DISEASE IN THE AREA, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

On motion of Representative Morgan, seconded by Representative Black, the House adjourns at 6:48 p.m. to reconvene June 24 at 10:00 a.m.

EIGHTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 24, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty and Everliving God, is there ever a moment in our lives where we are not in need of Thy direction? Is there ever a time when we are not in need of Thy guidance? Is there ever a season when we are not in need of Thy assistance? Is there ever an existence on this earth where someone is not in need of Thy Divine Presence?

'O God our help in ages past, our hope in years to come,
our shelter from the stormy blast, and our eternal home.'

"Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (110-1).

Leaves of absence are granted Representatives Easterling, Fitch, Gardner, and Nesbitt for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 457, AN ACT TO REQUIRE THE COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAM TO PROVIDE INSTRUCTION ON THE PERFORMANCE OF CARDIOPULMONARY RESUSCITATION AND THE HEIMLICH MANEUVER.

S.B. 508, AN ACT TO PROVIDE THAT A TURKEY GROWER SHALL NOT BE DISQUALIFIED FROM USE VALUE TAXATION FOR A TWO-YEAR PERIOD IF THE GROWER'S LAND IS TAKEN OUT OF PRODUCTION SOLELY BECAUSE OF THE PRESENCE OF TURKEY DISEASE IN THE AREA.

S.B. 958, AN ACT TO ALLOW STUDENTS WHO RESIDE WITH DOMICILIARIES OF A LOCAL SCHOOL ADMINISTRATIVE UNIT TO ATTEND THE PUBLIC SCHOOLS OF THAT UNIT WITHOUT THE PAYMENT OF TUITION.

H.B. 363, AN ACT TO DIRECT THE DEPARTMENT OF HUMAN RESOURCES NOT TO ELECT ANY CHILD SUPPORT DISTRIBUTION OPTION FOR WHICH FEDERAL FUNDS ARE NOT PROVIDED AND TO INCREASE THE APPLICATION FEE FOR NONPUBLIC ASSISTANCE CHILD SUPPORT ENFORCEMENT SERVICES.

H.B. 529, AN ACT TO PROVIDE THAT DEFERRED TAXES DUE ON CERTAIN PROPERTY THAT IS TAXED AT ITS PRESENT-USE VALUE WILL BE PAID BY THE PERSON TO WHOM THE LAND IS TRANSFERRED IF THE PROPERTY IS TRANSFERRED BECAUSE OF CONDEMNATION.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 748, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE.

H.B. 698, AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS AREAS AND MODIFYING THE LAWS RELATING TO SATELLITE ANNEXATIONS WHICH APPLY TO MOORESVILLE.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1191, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LOYD EDWARD AUMAN. (RESOLUTION 18)

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 434,** A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS, is returned for concurrence in Senate committee substitute and referred to the Committee on Insurance.

Senate Committee Substitute for **H.B. 515,** A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 533,** A BILL TO BE ENTITLED AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE A REBUTTABLE PRESUMPTION THAT AN IN KIND DISTRIBUTION

OF PROPERTY IS EQUITABLE, TO ENCOURAGE INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary II.

Senate Committee Substitute for **H.B. 587,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 25.

Committee Substitute No. 2 for **S.B. 232,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS, LOANS, AND REVOLVING LOANS TO LOCAL GOVERNMENT UNITS FOR WATER SUPPLY SYSTEMS, WASTEWATER COLLECTION SYSTEMS, WASTEWATER TREATMENT WORKS, AND WATER CONSERVATION PROJECTS, is read the first time and referred to the Committee on Finance.

S.J.R. 1081, A JOINT RESOLUTION HONORING THE MEMORY OF JACKIE ROBINSON AND RECOGNIZING WALTER FENNER "BUCK" LEONARD ON THE FIFTIETH ANNIVERSARY OF JACKIE ROBINSON'S BREAKING THE COLOR BARRIER IN MAJOR LEAGUE BASEBALL, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 227,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

On motion of Representative Hackney and without objection, consideration of the bill is postponed until June 25.

Senate Committee Substitute for **H.B. 433,** A BILL TO BE ENTITLED AN ACT TO EXEMPT A SWORN LAW ENFORCEMENT OFFICER OR A RETIRED SWORN LAW ENFORCEMENT OFFICER FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR A PERMIT WITHIN ONE YEAR OF RETIREMENT.

On motion of Representative Gulley, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (107-3), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute No. 2 for **S.B. 500,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION AND TO MODIFY THE PROVISIONS FOR NO-WAKE ZONES ON LAKE NORMAN, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Easterling, Fitch, Gardner, and Nesbitt - 4.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

On motion of the Chair and without objection, **H.J.R. 1234,** A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BRADFORD VERDIZE LIGON, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Decker, the House adjourns at 10:47 a.m. to reconvene June 25 at 10:00 a.m.

EIGHTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 25, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"O Lord our God, many are the nights and days when we ponder Your ways. Many are the times when we consider the works of Your hands. How did You do it all? We search for these answers, and many more, through a myriad of scientific disciplines, and yet, like in the time of the Tower of Babel, we still cannot find You. How, then, O God, are we to agree on matters such as those that are before us? How, then, O God, can we expect to build a community free from prejudice, and hatred, and oppression? How, then, O God, can we dare to believe that there is a better day ahead? What do You say? Keep daring? Keep believing? Keep fighting against the status quo? Open our eyes that we might see, glimpses of truth Thou hast for us, and knit within our hearts the fabric of a society that can endure the woes of itself and in turning our eyes toward heaven, catch a glimpse of a reality that one day shall set us all free. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-0).

Leaves of absence are granted Representatives Gardner and Nesbitt for today. Representatives R. Hunter and Baddour are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 535, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONSENT OF CERTAIN COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY.

H.B. 433, AN ACT TO EXEMPT A SWORN LAW ENFORCEMENT OFFICER OR A RETIRED SWORN LAW ENFORCEMENT OFFICER FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR A PERMIT WITHIN TWO YEARS OF RETIREMENT.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 741, AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION. (S.L. 1997-216)

H.B. 103, AN ACT TO DESIGNATE NINETEEN PRECINCTS IN AVERY COUNTY. (S.L. 1997-217)

H.B. 834, AN ACT TO ALLOW THE CITIES OF LENOIR AND WILMINGTON TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES. (S.L. 1997-218)

H.B. 698, AN ACT LIMITING THE AUTHORITY OF THE TOWNS OF MOREHEAD CITY AND NEWPORT TO ANNEX NONCONTIGUOUS

AREAS AND MODIFYING THE LAWS RELATING TO SATELLITE ANNEXATIONS WHICH APPLY TO MOORESVILLE. (S.L. 1997-219)

H.B. 748, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE. (S.L. 1997-220)

S.B. 272, AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT. (S.L. 1997-221)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Senate Committee Substitute for **H.B. 476,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES FOR VITAL RECORDS, with recommendation that the House concur.

The bill is placed on the Calendar of June 26.

H.B. 665, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

S.B. 411, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

Committee Substitute for **S.B. 585,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM RATE OF THE LUMBERTON ROOM OCCUPANCY TAX FROM THREE PERCENT TO SIX PERCENT, AND TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX IF APPROVED BY THE VOTERS OF THE CITY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 713, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION OF SUPPLEMENTAL RETIREMENT BENEFITS FOR FIREMEN IN THE CITY OF RALEIGH, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SALES TAX DEFINITION OF CUSTOM COMPUTER SOFTWARE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 794,** A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT, with a favorable report

as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1229,** A BILL TO BE ENTITLED AN ACT TO ALLOW A PERSON WHO SUFFERS FROM LUPUS OR OTHER MEDICAL CONDITIONS REQUIRING TINTING TO HAVE A DARKER VEHICLE WINDOW THAN IS ALLOWED UNDER THE WINDOW TINTING LAWS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLERKS TO ALLOCATE SPOUSE'S AND CHILDREN'S YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 921,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CONTINUING CARE FACILITIES THAT PROVIDE HUMANE AND PHILANTHROPIC CARE TO THE ELDERLY FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Gray sends forth the Conference Report on House Committee Substitute for **S.B. 316,** A BILL TO BE ENTITLED AN ACT

TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT.

The Conference Report is ruled to be material, thus constituting its first reading. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 26 for its second roll call reading.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 24, 1997

Mr. Speaker:

Pursuant to the message from the Senate on Thursday, June 5, 1997, informing the House of Representatives that the Senate failed to concur in the House Committee Substitute bill to **S.B. 356** A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, which proposes to change the title, upon concurrence, to read **S.B. 356** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President Pro Tempore appoints:

Senator Foxx, Chairman
Senator Conder
Senator Miller

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 24, 1997

Mr. Speaker:

Pursuant to your message received Monday, June 16, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 484** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, and requests conferees, the President Pro Tempore appoints:

Senator Albertson, Chairman
Senator Odom
Senator Horton
Senator Kincaid

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 430,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary I.

Upon concurrence, the Senate committee substitute changes the title.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 67,** A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, is returned for concurrence in Senate amendment and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate amendment is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate amendment changes the title.

Committee Substitute for **H.B. 210,** A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, is returned for concurrence in two Senate amendments and placed on the Calendar of June 26.

Senate Committee Substitute for **H.B. 773,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 810,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 989,** A BILL TO BE ENTITLED AN ACT TO REMOVE THE FEE FOR THE SCHOOL ADMINISTRATORS'

EXAM, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 932,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH HEALTH BENEFIT PLAN REPORTING AND DISCLOSURE REQUIREMENTS AND MAKE IMPROVEMENTS IN THE OPERATIONS OF HEALTH MAINTENANCE ORGANIZATIONS IN NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 935,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURES AND RIGHTS FOR MANAGED CARE PLAN MEMBERS IN UTILIZATION REVIEW DECISIONS AND GRIEVANCES AGAINST MANAGED CARE ORGANIZATIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 938,** A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX CREDITS FOR CONSTRUCTION EMPLOYERS WHO PROVIDE CRAFTWORKER TRAINING TO EMPLOYEES AND WHO HIRE WELFARE RECIPIENTS, is read the first time and referred to the Committee on Welfare Reform.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 587,** A BILL TO BE ENTITLED AN ACT TO ALLOW THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES.

On motion of Representative C. Wilson, the House concurs in the Senate committee substitute, by electronic vote (100-10), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 227,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

On motion of Representative Hackney, the House does not concur in the Senate committee substitute, by electronic vote (111-1), and conferees are requested.

Committee Substitute for **S.B. 643,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY GREENSBORO CITY COUNCIL MEMBERS.

Representative Decker calls the previous question on the passage of the bill and the call is sustained by electronic vote (64-49).

The bill fails to pass its second reading by electronic vote (55-60).

Committee Substitute for **S.B. 644,** A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DISCLOSURE OF PROPERTY INTERESTS AND ASSETS BY HIGH POINT CITY COUNCIL MEMBERS.

Representative Decker calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-49).

The bill fails to pass its second reading by electronic vote (54-61).

House Committee Substitute for **S.B. 537,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson,

Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Gardner and Nesbitt - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1027,** A BILL TO BE ENTITLED AN ACT TO STIMULATE SUBSTANTIAL GROWTH OF VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA THROUGH INVESTMENTS BY THE STATE TREASURER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Baddour, Barbee, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Goodwin, Gray, Gulley, Hackney, Hall, Hensley, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 95.

Voting in the negative: Representatives Arnold, Baker, Beall, Berry, Cansler, Creech, Davis, Decker, Ellis, Grady, Hardaway, Hardy, Hiatt, Hightower, Howard, Kiser, Luebke, Nichols, Nye, Saunders, Warner, and Womble - 22.

Excused absences: Representatives Gardner and Nesbitt - 2.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute for **H.B. 227,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN

CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION: Representatives Hackney, Weatherly, Mitchell, Eddins, and Hightower.

The Senate is so notified by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 5, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (90-23).

Representative Sherrill offers Amendment No. 2 which is adopted by electronic vote (105-9).

Representative Russell calls the previous question on the passage of the bill and the call is sustained by electronic vote (62-55).

The bill fails to pass its second reading, by the following vote, for lack of a three-fifths majority.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Berry, Black, Bowie, Brawley, Brown, Buchanan, Cansler, Carpenter, Clary, Cole, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Easterling, Esposito, Fox, Gamble, Gray, Hardy, Hiatt, Holmes, Howard, Hurley, Insko, Ives, Justus, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Neely, Owens, Preston, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Watson, Weatherly, Wilkins, C. Wilson, and G. Wilson - 70.

Voting in the negative: Representatives Adams, Allred, Beall, Blue, Bonner, Boyd-McIntyre, Braswell, Capps, Church, Crawford, Cunningham, Davis, Earle, Eddins, Ellis, Fitch, Goodwin, Grady, Gulley, Hackney, Hall,

Hardaway, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Jarrell, Jeffus, Kinney, Luebke, McAllister, Michaux, Miller, Mosley, Nichols, Nye, Oldham, Ramsey, Redwine, Sutton, Wainwright, Warner, Warwick, Womble, Wood, Wright, and Yongue - 48.

Excused absences: Representatives Gardner and Nesbitt - 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 875,** A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, TO REVISE THE LAW GOVERNING THE DISPOSITION OF CERTAIN BIRTH AND DEATH CERTIFICATES, AND TO ESTABLISH A STUDY OF LAND TITLE REGISTRATION PROCEDURES.

On motion of Representative R. Hunter and without objection, consideration of the bill is postponed until June 26.

House Committee Substitute for **S.B. 809,** A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA APPRAISERS ACT.

On motion of Representative Howard, consideration of the bill is postponed until July 2.

RE-REFERRALS

On motion of Representative McComas, the following bills are withdrawn from the Permanent Subcommittee on Health and re-referred to the Standing Committee on Insurance.

H.B. 435, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN;

H.B. 436, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN;

Committee Substitute for **S.B. 254,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH INSURANCE AND EMPLOYMENT BASED ON GENETIC INFORMATION; and

Committee Substitute for **S.B. 455,** A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, AND REDUCING THE APPROVAL PERIOD FOR RATE FILINGS.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Allred for the Committee on Ways and Means:

Committee Substitute for **S.B. 711,** A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Earle, the House adjourns at 12:25 p.m. to reconvene June 26 at 10:00 a.m.

EIGHTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 26, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty God, the hours have become long and the days even longer. Our strategies and our patience run thin. We turn to You now in this hour of need. We turn to You and search for the missing links. What is it that will bear forth fruit in our time of waiting? From where will come the spirit of compromise that we need to settle our differences? The Psalmist asked

these questions, 'I cast my eyes unto the hills, from whence cometh my help?' And in Your mercy, You answered, 'Your help comes from the Lord, maker of heaven and earth'. And, so, O God of heaven and earth, as we turn our eyes to the hills, we will wait for Your help, for we know that in You and in You alone, help is here! Grant that in our comings and goings, none of us fail to know that You are already here and working in our midst. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-3).

Leaves of absence are granted Representatives Gardner, Nesbitt, Nichols, and Sutton for today. Representatives Bowie, Capps, Miller, and Sherrill are excused for a portion of the session.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 924, AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF EMPLOYEES OF AND APPLICANTS FOR EMPLOYMENT WITH THE DEPARTMENT OF HUMAN RESOURCES.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 587, AN ACT TO ALLOW THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 366, AN ACT TO REVISE THE MEDIATION PROCEDURE FOR RESOLVING SCHOOL BUDGET DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY

COMMISSIONERS, AND TO CLARIFY THE SCOPE OF THE SCHOOL FACILITIES GUIDELINES. (S.L. 1997-222)

H.B. 363, AN ACT TO DIRECT THE DEPARTMENT OF HUMAN RESOURCES NOT TO ELECT ANY CHILD SUPPORT DISTRIBUTION OPTION FOR WHICH FEDERAL FUNDS ARE NOT PROVIDED AND TO INCREASE THE APPLICATION FEE FOR NONPUBLIC ASSISTANCE CHILD SUPPORT ENFORCEMENT SERVICES. (S.L. 1997-223)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, submits the following resolution with a favorable report for introduction.

A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT V. OWENS, JR. MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

Pursuant to Rule 31(a), the resolution is filed, assigned the number **H.J.R. 1238,** and placed on the Calendar of June 30 for its first reading.

Representative Morgan reports the following bills:

H.B. 568, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 777, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION OR INITIATE ANNEXATION BY RESOLUTION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF KINGS MOUNTAIN, with a favorable report as to committee substitute

bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.J.R. 1237, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MAZIE SPENCER WOODRUFF, A DEVOTED PUBLIC SERVANT AND COMMUNITY ACTIVIST, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

Committee Substitute for **S.B. 143,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.J.R. 414,** A JOINT RESOLUTION HONORING THE ACCOMPLISHMENTS OF COACH DEAN EDWARDS SMITH AND THE MEN'S BASKETBALL PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar of June 30.

Committee Substitute No. 2 for **S.B. 660,** A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 668,** A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of June 30.

S.J.R. 707, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROYCE PHELPS "BO" THOMAS, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

Committee Substitute for **S.B. 862,** A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA IN NEGOTIATING CERTAIN CONTRACTS AND CAPITAL PROJECTS, TO INCREASE THE BENCHMARK FOR PURCHASES BY THE UNIVERSITY OF NORTH CAROLINA AND OTHER STATE AGENCIES, AND TO AUTHORIZE EMPLOYEE PAYROLL DEDUCTIONS FOR CERTAIN DISCRETIONARY PRIVILEGES OF UNIVERSITY SERVICE AT THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 996, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE PLUMBING LICENSURE REQUIREMENTS CERTAIN PERSONS PERFORMING ON-SITE ASSEMBLY OF FACTORY DESIGNED DRAIN SYSTEMS UNDERNEATH MANUFACTURED HOMES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of June 30.

Committee Substitute for **S.B. 1055,** A BILL TO BE ENTITLED AN ACT ESTABLISHING THE PUBLIC HOSPITAL PERSONNEL ACT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 1074, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY RECOGNIZE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE HALIWA TRIBE AS THE HALIWA SAPONI TRIBE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of June 30.

S.J.R. 1078, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF RICHARD CONDER AND ROBERT V. OWENS, JR. MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report as to House committee substitute joint resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the House committee substitute joint resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 417,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MITCHELL COUNTY TO IMPOSE A CHARGE ON THE BUSINESS OF PROVIDING RIVER RAFTING IN MITCHELL COUNTY, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 751, A BILL TO BE ENTITLED AN ACT TO REDUCE RELIANCE ON DEBT FOR PUBLIC SCHOOL CONSTRUCTION IN CABARRUS COUNTY BY AUTHORIZING THE COUNTY TO LEVY A TEMPORARY SALES AND USE TAX OF ONE PERCENT, IF APPROVED BY THE VOTERS OF THE COUNTY, FOR PUBLIC SCHOOL CONSTRUCTION, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 262,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 390, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1081, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES AND INTRODUCTION OF ADDITIONAL EVIDENCE OF PROPERTY VALUE IN CERTAIN CONDEMNATION ACTIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Transportation.

The committee substitute bill is re-referred to the Committee on Transportation. The original bill is placed on the Unfavorable Calendar.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

Committee Substitute for **S.B. 312,** A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute for **S.B. 330,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SAFE-DEPOSIT BOXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 847,** A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX REUSABLE INDUSTRIAL CONTAINERS USED AS PACKAGING FOR TANGIBLE PERSONAL PROPERTY, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 848, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SECONDARY SUPPLIER OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, AND TO MAKE TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 994,** A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES TO CONSUMERS IN NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Weatherly for the Committee on State Government:

H.B. 577, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR FORESTERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute No. 2 for **S.B. 141,** A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS, with a

favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 182,** A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN PERMANENT RULES ADOPTED BY THE WILDLIFE RESOURCES COMMISSION TO BECOME EFFECTIVE UPON APPROVAL BY THE RULES REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 248,** A BILL TO BE ENTITLED AN ACT TO CREATE THE BROUGHTON HOSPITAL JOINT SECURITY FORCE AND TO AMEND THE LAW ESTABLISHING THE BLACK MOUNTAIN JOINT SECURITY FORCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 327, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE GENERAL STATUTES GOVERNING THE DEPARTMENT OF CULTURAL RESOURCES AND THE NORTH CAROLINA HISTORICAL COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 545, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CHANGE REGARDING THE DISPOSITION OF OBJECTS FROM THE COLLECTIONS OF THE MUSEUM OF NATURAL SCIENCES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 930, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE MUTUAL BURIAL ASSOCIATION COMMISSION AND TO TRANSFER ITS DUTIES TO THE BOARD OF MORTUARY SCIENCE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 919, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AMOUNT OF MOTOR FUEL TAX PAID ON FUEL USED IN BOATS SHALL BE EARMARKED FOR USE FOR CONTROL OF AQUATIC WEEDS, RECREATIONAL PROJECTS, AND LAKE ADMINISTRATION BUILDINGS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Barbee for the Committee on Pensions and Retirement:

House Committee Substitute for **S.B. 297,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 299,** A BILL TO BE ENTITLED AN ACT TO PROVIDE LONG-TERM CARE BENEFITS FOR QUALIFIED EMPLOYEES, RETIRED EMPLOYEES, AND THEIR DEPENDENTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report and recommendation that the bill be re-referred to the Committee on Insurance.

The bill is re-referred to the Committee on Insurance.

By Representative Decker for the Committee on Local and Regional Government II:

Committee Substitute for **S.B. 579,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF LENOIR TO ALLOW SALARY INCREASES FOR THE CITY COUNCIL AND THE MAYOR AND TO ALLOW THE MAYOR TO BE ELECTED FOR A TERM OF FOUR YEARS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 25, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the President Pro Tempore appoints Senator Kinnaird as an additional conferee on **H.B. 484** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 400,** A BILL TO BE ENTITLED AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS, is returned for concurrence in Senate committee substitute and placed on the Calendar of June 30.

Senate Committee Substitute No. 2 for **H.B. 460,** A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO DESIGNATE WHO HAS THE DUTY TO ESTABLISH AND REVISE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS, is returned for concurrence in Senate Committee Substitute Bill No. 2 and placed on the Calendar of June 30.

Upon concurrence, Senate Committee Substitute Bill No. 2 changes the title.

Senate Committee Substitute for **H.B. 852,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INFORMATION IN THE STOKES COUNTY 911 DATABASE OBTAINED FROM A TELEPHONE COMPANY IS CONFIDENTIAL IF REQUIRED BY THE AGREEMENT OBTAINING THE INFORMATION, is returned for concurrence in Senate committee substitute, and placed on the Calendar of June 30.

Upon concurrence, the Senate committee substitute changes the title and the bill changes from local to public.

Committee Substitute for **S.B. 475,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 933,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS FOR COVERAGE AND PROVIDER NETWORKS UNDER HEALTH INSURANCE POLICIES AND MANAGED CARE PLANS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 934,** A BILL TO BE ENTITLED AN ACT TO REWRITE AND MODERNIZE THE LAWS ON INSURERS OFFERING PREFERRED PROVIDER BENEFIT PLANS, PREFERRED PROVIDER ORGANIZATIONS, AND PREFERRED PROVIDER BENEFIT PLANS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Owens moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 316

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 316, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, Fifth Edition Engrossed 5/13/97, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute, Fifth Edition Engrossed 5/13/97, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute, Fifth Edition Engrossed 5/13/97, and substitute the attached Proposed Conference Committee Substitute S316-PCCSX8733.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date Conferees approved report: June 24, 1997.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ John Kerr	S/ Lyons Gray
S/ David Hoyle	S/ Jim Carpenter
S/ Donald R. Kincaid	S/ W. Dickson
S/ R. L. Martin	S/ Bob Hunter
	S/ William Owens

The material Conference Report is adopted on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Carpenter, Church, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Smith, Tallent,

Thompson, Tolson, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 94.

Voting in the negative: Representatives Aldridge, Berry, Cansler, Capps, Clary, Creech, Davis, Eddins, Ellis, Hall, Luebke, McAllister, Michaux, Neely, Russell, Shubert, Starnes, Wainwright, and Watson - 19.

Excused absences: Representatives Bowie, Nesbitt, Nichols, and Sutton - 4.

Representatives Aldridge and Russell state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (96-17).

MOTION TO RECONSIDER VOTE

Having voted with the prevailing side, Representative Ellis moves that the vote by which **S.B. 5,** A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES, failed to pass its second reading be reconsidered.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (62-50).

The motion to reconsider the vote carries by electronic vote (66-47).

Representative Boyd-McIntyre offers Amendment No. 3.

On motion of the Chair, the bill with pending amendment, is temporarily displaced.

CALENDAR

Action is taken on the following:

H.B. 210, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

On motion of Representative Brown, the House concurs in the Senate amendments, by electronic vote (107-1), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 476,** A BILL TO BE ENTITLED AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES FOR VITAL RECORDS.

On motion of Representative Hurley, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (109-0), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 442,** A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY, with pending Amendment No. 2, is before the Body.

Representative Hackney withdraws Amendment No. 2.

Representative Hackney offers Amendment No. 3 which fails of adoption by electronic vote (53-59).

Representative Justus calls the previous question on the passage of the bill and the call is sustained by electronic vote (65-46).

The bill, as amended, passes its third reading, by electronic vote (92-21), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

S.B. 5, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION AND MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES, which was temporarily displaced with Amendment No. 3 pending, is before the Body.

Amendment No. 3 is adopted by electronic vote (109-0).

Representative Wood offers Amendment No. 4 which is adopted by electronic vote (70-42).

The bill, as amended, fails to pass its second reading, by the following vote, for lack of a three-fifths majority vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Berry, Bowie, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Creech, Culp, Daughtry, Decker, Dedmon, Dickson, Dockham, Easterling, Ellis, Esposito, Fox, Gray, Gulley, Hardy, Hiatt, Holmes, Hurley, Ives, Justus, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Neely, Owens, Preston, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Watson, Weatherly, Wilkins, C. Wilson, and G. Wilson - 68.

Voting in the negative: Representatives Adams, Beall, Blue, Bonner, Boyd-McIntyre, Braswell, Church, Crawford, Cunningham, Davis, Earle, Eddins, Fitch, Gamble, Goodwin, Grady, Hackney, Hall, Hardaway, Hensley, Hightower, Hill, Howard, H. Hunter, R. Hunter, Insko, Jarrell, Jeffus, Kinney, Luebke, McAllister, Michaux, Mosley, Nye, Oldham, Ramsey, Redwine, Wainwright, Warner, Warwick, Womble, Wood, Wright, and Yongue - 44.

Excused absences: Representatives Gardner, Miller, Nesbitt, Nichols, and Sutton - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 844,** A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE OPEN MEETINGS LAW TO REQUIRE ACCOUNTS OF CLOSED MEETINGS AND TO CLARIFY WHAT ACTIONS ON ECONOMIC DEVELOPMENT INCENTIVES MAY BE TAKEN IN CLOSED SESSIONS, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 26, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 556** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, which proposes to change the title, upon concurrence, to read **S.B. 556** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE AND GREENSBORO, AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

H.B. 42, A BILL TO BE ENTITLED AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, is returned for concurrence in Senate amendment and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate amendment changes the title.

Committee Substitute for **S.B. 473,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW, is read the first time and referred to the Committee on Appropriations.

On motion of the Chair, the House recesses at 11:56 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 26, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur with your Honorable Body in the House Committee Substitute bill **S.B. 993** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES TO PROTECT THE RIGHTS OF SUBSCRIBERS AND CERTIFICATE HOLDERS IN THE RESERVES AND CAPITAL OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS UPON CONVERSION, which proposes to change the title, upon concurrence, to read **S.B. 993** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURES FOR CONVERSIONS BY HOSPITALS, MEDICAL, AND DENTAL SERVICE CORPORATIONS.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 210, AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

H.B. 476, AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES, AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES, FOR VITAL RECORDS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Senate Committee Substitute for **H.B. 430,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE, with recommendation that the House concur.

Pursuant to Rule 36(a), the bill is placed on today's Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 810,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with recommendation that the House concur.

Pursuant to Rule 36(a), the bill is placed on today's Calendar.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 430,** A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE.

On motion of Representative Culp, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (95-3), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 810,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

On motion of Representative Arnold, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Barbee, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 91.

Voting in the negative: Representatives Allred, Baker, Beall, Creech, Davis, Eddins, Hall, Hardy, and Morris - 9.

Excused absences: Representatives Capps, Gardner, Miller, Nesbitt, Nichols, Sherrill, and Sutton - 7.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **H.B. 67,** A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, with recommendation that the House concur.

The bill is placed on today's Calendar for immediate consideration.

On motion of Representative Decker, the House concurs in the material Senate amendment on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hall,

Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Capps, Culp, Gardner, Miller, Nesbitt, Nichols, Sherrill, and Sutton - 8.

SUBCOMMITTEE REFERRAL

Representative Dockham, Chair for the Standing Committee on Insurance, refers **H.B. 1223,** A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA FAMILY HEALTH CARE ACT, AND TO APPROPRIATE FUNDS THEREFOR, to the Permanent Subcommittee on Health.

Representative Morgan moves, seconded by Representative Kiser, that the House adjourn, subject to the receipt of committee reports, to reconvene Monday, June 30, 1997, at 6:00 p.m. The motion carries.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Dockham for the Committee on Insurance:

Senate Committee Substitute for **H.B. 434,** A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS, with recommendation that the House concur.

The bill is placed on the Calendar of June 30.

The House stands adjourned at 1:40 p.m.

STATE LIBRARY OF NORTH CAROLINA
3 3091 00748 4595